

## AGENDA

### CITY COUNCIL MEETING

MONDAY, MAY 18, 2020

7:00 P.M.

THIS MEETING WILL BE CONDUCTED BY TELECONFERENCE

THE PUBLIC MAY LISTEN INTO THIS MEETING BY CALLING THE FOLLOWING CONFERENCE LINE  
AND THEN ENTERING THE CONFERENCE CODE:

DIAL-IN NUMBER: (929) 436 2866  
MEETING ID: 381 083 245

\*\*\*DUE TO THE PUBLIC HEALTH EMERGENCY, PUBLIC SPEAKING WILL BE BY WRITTEN  
TESTIMONY ONLY\*\*\*

\*\*\*PLEASE SUBMIT WRITTEN TESTIMONY TO [PUBLICTESTIMONY@BRIDGEPORTCT.GOV](mailto:PUBLICTESTIMONY@BRIDGEPORTCT.GOV) BY  
6:30 P.M. ON MONDAY MAY, 18TH.\*\*\*

Prayer

Pledge of Allegiance

Roll Call

#### **ITEMS FOR IMMEDIATE CONSIDERATION:**

- 99-19** Resolution presented by Council Member(s) Newton, Nieves, Taylor-Moye, Cruz, Brantley, Herron, Silva, Valle & Martinez re: Proposed resolution Urging the Creation of a SAFER Supervision Committee in response to the COVID-19 Pandemic, **FOR IMMEDIATE CONSIDERATION.**
- 104-19** Communication from Central Grants re: Grant Submission: U.S. Department of Transportation Federal Aviation Administration (FAA) – Airport Program 2020 Coronavirus Aid, Relief and Economic Security (CARES) Act Grant Program, **FOR IMMEDIATE CONSIDERATION.**
- 105-19** Communication from Central Grants re: Grant Submission: State of Connecticut Department of Emergency Management and Homeland Security – FEMA Public Assistance Disaster Relief for COVID-19, **FOR IMMEDIATE CONSIDERATION.**

#### **COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

- 97-19** Communication from City Attorney re: Proposed Settlement of Pending Litigation with William McMahan, referred to Miscellaneous Matters Committee.
- 98-19** Communication from Board of Education re: Grant Submission: School Construction Project Application for State Grants and the Initiation of Design for Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus, referred to Education and Social Services Committee.

**COMMUNICATIONS TO BE REFERRED TO COMMITTEES CONTINUED:**

- 100-19** Communication from OPED re: Proposed Resolution Authorizing an Affordable Housing Tax Incentive Development Agreement for Windward Commons located at 20 Johnson Street, referred to Joint Committee on Economic and Community Development and Environment and Contracts.
- 101-19** Communication from OPED re: Proposed Resolution regarding Authority to enter into an Environmental Land Use Restriction ("ELUR") concerning the Family Dollar Store Property located at 1197 State Street, referred to Economic and Community Development and Environment Committee.
- 102-19** Communication from City Attorney re: Proposed Worker's Compensation Stipulation with Jose Negron, referred to Miscellaneous Matters Committee.
- 103-19** Communication from City Attorney re: Proposed Worker's Compensation Stipulation with John M. Evans, referred to Miscellaneous Matters Committee.

**MATTERS TO BE ACTED UPON:**

- 87-19** Contracts Committee Report re: Nomination of Lisa Morrissey for the Appointment to the position of Director of Health.

*(Special Note: All items listed on the agenda can be found on the City Clerk's website within 24 hours of meeting: City Council Agendas/Minutes; City Council; 2019-2020; Full/Minutes/Size; 2020-05-18.pdf)*

**CITY OF BRIDGEPORT**  
**CITY COUNCIL MEETING**  
**MONDAY, MAY 18, 2020**

**7:00 P.M.**

This meeting was conducted by teleconference.

\*\*\*Due to the public health emergency, public speaking  
will be by written testimony only\*\*\*

\*\*\*Please submit written testimony to [PublicTestimony@bridgeportct.gov](mailto:PublicTestimony@bridgeportct.gov)  
by 6:30 p.m. on Monday, May 18th\*\*\*

Mayor Ganim called the meeting to order at 7:06 p.m.

**PRAYER**

Mayor Ganim asked Council Member Brantley to give an opening prayer.

**PLEDGE OF ALLEGIANCE**

Council Member Newton led those present in reciting the Pledge of Allegiance.

**ROLL CALL**

The City Clerk Lydia Martinez called the roll.

130<sup>th</sup> District: Scott Burns, Matthew McCarthy  
131<sup>st</sup> District: Denese Taylor-Moye, Jorge Cruz  
132<sup>nd</sup> District: Marcus Brown, M. Evette Brantley  
133<sup>rd</sup> District: Michael DeFilippo, Jeanette Herron  
134<sup>th</sup> District: Michelle Lyons, AmyMarie Vizzo-Paniccia  
135<sup>th</sup> District: Rosalina Roman-Christy, Mary McBride-Lee  
136<sup>th</sup> District: Alfredo Castillo, Avelino Silva  
137<sup>th</sup> District: Maria Valle, Aidee Nieves  
138<sup>th</sup> District: Maria Pereira, Samia Suliman  
139<sup>th</sup> District: Eneida Martinez, Ernest Newton

A quorum was present.

**ITEMS FOR IMMEDIATE CONSIDERATION:**

**99-19 Resolution presented by Council Member(s) Newton, Nieves, Taylor-Moye, Cruz, Brantley, Herron, Silva, Valle & Martinez re: Proposed resolution Urging the Creation of a SAFER Supervision Committee in response to the COVID-19 Pandemic, FOR IMMEDIATE CONSIDERATION.**

**\*\* COUNCIL MEMBER NEWTON MOVED TO SUSPEND THE RULES TO CONSIDER AGENDA ITEM 99-19.**

**\*\* COUNCIL MEMBER CASTILLO SECONDED.**

**\*\* THE MOTION TO SUSPEND THE RULES PASSED UNANIMOUSLY.**

Atty. Anastasi said that since the item was already listed on the agenda that they did not have to suspend the rules to consider it. He said that the Council needed to state the reason.

Council Member Newton said 83% of the State inmates are infected by COVID-19. This resolution would encourage the Governor to release those who have less than 18 months on their sentence to go to a halfway house or to return to live with a family member.

Council Member Herron said that she wanted to thank her colleagues for putting this on the agenda. She said that she heard from a number of families about this because they had relatives in prison and were concerned for their well-being.

Council Member Pereira asked if it was to create a committee to look at the issues or releasing people who have committed crimes. Council Member Newton said that the inmates that were being considered were ones scheduled for release within the next eighteen months. The City should have a team set up to help the residents fight COVID-19. Discussion followed.

Council Member Brantley said she wanted to encourage everyone to support the bill because these members of society are at risk due to their proximity to others who have COVID-19. She said that she had received several calls from concerned families about the well-being of their relatives who were incarcerated.

Mayor Ganim asked Council Member Newton if the intent was to form a committee. Council Member Newton said that they would be getting a new Health Department Director and needed to have a plan in place.

Council Member Pereira said that as long as it was to form a committee, she was fine with it.

Council Member Cruz expressed his support.

**\*\* COUNCIL MEMBER NEWTON MOVED TO APPROVE AGENDA ITEM 99-19 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) NEWTON, NIEVES, TAYLOR-MOYE, CRUZ, BRANTLEY, HERRON, SILVA, VALLE & MARTINEZ RE:**

**PROPOSED RESOLUTION URGING THE CREATION OF A SAFER SUPERVISION COMMITTEE IN RESPONSE TO THE COVID-19 PANDEMIC.**

**\*\* COUNCIL MEMBER BRANTLEY SECONDED.**

Council Member Newton said that this was to encourage the Governor and the Commission to release those inmates that qualified earlier.

Council Member Pereira said that based on Council Member Newton's comments, she would have to withdraw her previous support.

**\*\* THE MOTION TO APPROVE AGENDA ITEM 99-19 RESOLUTION PRESENTED BY COUNCIL MEMBER(S) NEWTON, NIEVES, TAYLOR-MOYE, CRUZ, BRANTLEY, HERRON, SILVA, VALLE & MARTINEZ RE: PROPOSED RESOLUTION URGING THE CREATION OF A SAFER SUPERVISION COMMITTEE IN RESPONSE TO THE COVID-19 PANDEMIC PASSED WITH SIXTEEN (16) IN FAVOR (BURNS, MCCARTHY, CRUZ, TAYLOR-MOYE, BROWN, BRANTLEY, HERRON, MCBRIDE-LEE, ROMAN-CHRISTY, SILVA, CASTILLO, VALLE, NIEVES, SULIMAN, MARTINEZ AND NEWTON) AND FOUR (4) OPPOSED (VIZZO-PANICCIA, PEREIRA, DEFILIPPO AND LYONS).**

**104-19 Communication from Central Grants re: Grant Submission: U.S. Department of Transportation Federal Aviation Administration (FAA) – Airport Program 2020 Coronavirus Aid, Relief and Economic Security (CARES) Act Grant Program, FOR IMMEDIATE CONSIDERATION.**

**\*\* COUNCIL PRESIDENT NIEVES MOVED TO SUSPEND THE RULES TO ADD AGENDA ITEM 104-19 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION (FAA) – AIRPORT PROGRAM 2020 CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT GRANT PROGRAM, FOR IMMEDIATE CONSIDERATION BECAUSE THIS WOULD ALLOW THE AIRPORT TO PROCEED WITH REPAIRS.**

**\*\* COUNCIL MEMBER LYONS SECONDED.**

Council Member Burns said that he had seen this in the packet and the grant funding was for two years but wanted to know what the funding would be used for.

Council President Nieves said that it would be used for airport repairs. Ms. Muoio explained that this was an opportunity to receive funding without a matching City funding requirement. Discussion followed.

**\*\* THE MOTION TO SUSPEND THE RULES PASSED UNANIMOUSLY.**

**\*\* COUNCIL PRESIDENT NIEVES MOVED AGENDA ITEM 104-19 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: U.S. DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION**

**(FAA) – AIRPORT PROGRAM 2020 CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT GRANT PROGRAM, FOR IMMEDIATE CONSIDERATION BECAUSE THIS WOULD ALLOW THE AIRPORT TO PROCEED WITH REPAIRS.**

**\*\* COUNCIL MEMBER HERRON SECONDED.**

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**105-19           Communication from Central Grants re: Grant Submission: State of Connecticut Department of Emergency Management and Homeland Security – FEMA Public Assistance Disaster Relief for COVID-19, FOR IMMEDIATE CONSIDERATION.**

**\*\* COUNCIL PRESIDENT NIEVES MOVED TO SUSPEND THE RULES TO CONSIDER AGENDA ITEM 105-19 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: STATE OF CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY – FEMA PUBLIC ASSISTANCE DISASTER RELIEF FOR COVID-19.**

**\*\*COUNCIL MEMBER NEWTON SECONDED.**

Council Member Pereira asked if the funding will be used for the constituents. She said that she did not want the funding to be used for TV ads or other advertising because there were people who were in need of PPE.

Council President Nieves pointed out that the discussion should take place under the discussion For the Agenda Item.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COUNCIL PRESIDENT NIEVES MOVED TO APPROVE AGENDA ITEM 105-19 COMMUNICATION FROM CENTRAL GRANTS RE: GRANT SUBMISSION: STATE OF CONNECTICUT DEPARTMENT OF EMERGENCY MANAGEMENT AND HOMELAND SECURITY – FEMA PUBLIC ASSISTANCE DISASTER RELIEF FOR COVID-19**

**\*\* COUNCIL MEMBER BRANTLEY SECONDED.**

Council Member Pereira said that she would like to have her earlier question answered.

Council President Nieves said that the funding could be used for medical supplies, food, ice, and other items. Ms. DeJesus said that the grant reimburses 75% of the immediate cost and the items that Council President Nieves described were allowable under the grant funding.

**\*\* THE MOTION PASSED UNANIMOUSLY.**

**COMMUNICATIONS TO BE REFERRED TO COMMITTEES:**

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**98-19 Communication from Board of Education re: Grant Submission: School Construction Project Application for State Grants and the Initiation of Design for Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus, referred to Education and Social Services Committee.**

**100-19 Communication from OPED re: Proposed Resolution Authorizing an Affordable Housing Tax Incentive Development Agreement for Windward Commons located at 20 Johnson Street, referred to Joint Committee on Economic and Community Development and Environment and Contracts.**

**101-19 Communication from OPED re: Proposed Resolution regarding Authority to enter into an Environmental Land Use Restriction (“ELUR”) concerning the Family Dollar Store Property located at 1197 State Street, referred to Economic and Community Development and Environment Committee.**

**102-19 Communication from City Attorney re: Proposed Worker’s Compensation Stipulation with Jose Negron, referred to Miscellaneous Matters Committee.**

**103-19 Communication from City Attorney re: Proposed Worker’s Compensation Stipulation with John M. Evans, referred to Miscellaneous Matters Committee.**

Council Member Brown asked that Agenda Item 100-19 – Communication from OPED re: Proposed Resolution Authorizing an Affordable Housing Tax Incentive Development Agreement for Windward Commons located at 20 Johnson Street, referred to Joint Committee on Economic and Community Development and Environment and Contracts be withdrawn.

**\*\* COUNCIL MEMBER MARTINEZ MOVED TO COMBINE AND REFER THE FOLLOWING COMMUNICATIONS TO THE APPROPRIATE COMMITTEES:**

**97-19 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED SETTLEMENT OF PENDING LITIGATION WITH WILLIAM MCMAHON, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.**

**98-19 COMMUNICATION FROM BOARD OF EDUCATION RE: GRANT SUBMISSION: SCHOOL CONSTRUCTION PROJECT APPLICATION FOR STATE GRANTS AND THE INITIATION OF DESIGN FOR UNDERGROUND OIL TANK REMOVAL PROJECTS AT THE FOLLOWING SCHOOLS; JFK CAMPUS, READ, JOHN WINTHROP, PARK CITY MAGNET, WILBUR CROSS AND COLUMBUS, REFERRED TO EDUCATION AND SOCIAL SERVICES COMMITTEE.**

**100-19 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION AUTHORIZING AN AFFORDABLE HOUSING TAX INCENTIVE DEVELOPMENT AGREEMENT FOR WINDWARD COMMONS LOCATED AT 20 JOHNSON STREET, REFERRED TO JOINT COMMITTEE ON ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT AND CONTRACTS.**

**101-19 COMMUNICATION FROM OPED RE: PROPOSED RESOLUTION REGARDING AUTHORITY TO ENTER INTO AN ENVIRONMENTAL LAND USE RESTRICTION (“ELUR”) CONCERNING THE FAMILY DOLLAR STORE PROPERTY LOCATED AT 1197 STATE STREET, REFERRED TO ECONOMIC AND COMMUNITY DEVELOPMENT AND ENVIRONMENT COMMITTEE.**

**102-19 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED WORKER’S COMPENSATION STIPULATION WITH JOSE NEGRON, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.**

**103-19 COMMUNICATION FROM CITY ATTORNEY RE: PROPOSED WORKER’S COMPENSATION STIPULATION WITH JOHN M. EVANS, REFERRED TO MISCELLANEOUS MATTERS COMMITTEE.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

Council Member Brown stated that based on Rule 31, the request to withdraw Agenda Item 100-19 was submitted by OPED to the City Clerk. The City Clerk cannot move to withdraw anything, so he, as a Council Member, was requesting the item be withdrawn.

**\*\* THE MOTION TO REFER THE VARIOUS COMMUNICATIONS TO COMMITTEES PASSED UNANIMOUSLY.**

**MATTERS TO BE ACTED UPON:**

**87-19            Contracts Committee Report re: Nomination of Lisa Morrissey for the Appointment to the position of Director of Health.**

Council Member Herron said that the Contracts Committee had voted to allow this matter to come before the full Council.

**\*\* COUNCIL MEMBER HERRON MOVED AGENDA ITEM 87-19 CONTRACTS COMMITTEE REPORT RE: NOMINATION OF LISA MORRISSEY FOR THE APPOINTMENT TO THE POSITION OF DIRECTOR OF HEALTH.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

Council Member Brantley requested a roll call vote.



Council Member Herron said that she was disappointed in the process and what she discovered during the process. While Ms. Morrissey is very well qualified, Ms. Morrissey was not informed that she should be living in Bridgeport.

Council Member Cruz said that he disagreed with the nomination because the fair process was neglected. He said that it sounded like she had already been approved before she was interviewed.

Council Member Cruz said that he felt disrespected by Ms. Hawkins and [inaudible] about this due to a post on the Internet. Giving jobs to people who live outside of Bridgeport is wrong. Vote no.

Council Member Cruz repeated that he was insulted and disrespected by the administration's staff members.

Council Member Newton said that the Mayor has the right to hire who he or she wishes to. The Council has no jurisdiction on how the screening process goes. No one has articulated more about residency than Ernie Newton, but they have to look at qualifications.

Council Member Newton warned the Council that if they did not appoint someone tonight, the State could step in and appoint someone regardless of what the Council or the Mayor thinks.

The Council can give a waiver if there should be a hardship. The Council's sole role is to vote either yes or no. With COVID-19, the City does not have time to fool around. The politics have to come out and people need to think about their constituents. This candidate is very qualified.

Council Member Pereira said that she did not think they could say that there was no one else that was more qualified. She said that this residency was in the Charter and voting yes would be clearly violating the City Charter. While Ms. Morrissey is highly qualified, Council Member Pereira said that she would not vote to violate the City Charter.

Council Member Silva said that he was disappointed in how this was done. If the rules had been followed, he would support the candidate without question. He said that he could not support this candidate.

Council Member McBride-Lee said that Council Member Newton had pushed hard for Bridgeport residency. However, the candidate was not given all the information she should have been told when she applied. It is not fair to expect her to move her family to Bridgeport. Council Member McBride-Lee will be supporting this nomination because she is very qualified. This is not Ms. Morrissey's fault and Ms. Morrissey should not be made an example of or the scapegoat. There are people in City Hall that have worked here that don't live in Bridgeport. From here on out, if you don't live in Bridgeport, then there will be no job for you in Bridgeport.

Council Member McCarthy said that the qualifications were definitely there. He asked two specific questions in Committee and did not feel that he was given honest answers. He said that he was tired of people being brought in the back door, so he will be voting no.

Council Member Valle said that Ms. Morrissey's resume was very good. Council Member Valle went on to express concern about the interview and hiring process; how long the job was posted; other resumes that were submitted and who was on the committee to select the Health Director.

Council Member Brown said that he was in the Contracts Committee and said that Ms. Morrissey was present at that meeting. It is important to be respectful. However, the Charter is clear about officers who are appointed must live in the City. The voters are the ones who approved the Charter. That is the reason he will be voting no.

Council Member Lyons said that Ms. Morrissey's qualifications were very good, but she will have to abstain because there is an immediate family member who would be affected.

Council Member Roman-Christy reiterated what Council Member Newton said earlier about the Governor could easily appoint someone who was not a Bridgeport resident.

Council Member Newton said that he took exception to the fact that Council Member Pereira said that the Council could not grant a waiver. There are some serious issues on the table. The Council Members have nothing to do with the selection committee. The Mayor can allow the Governor to choose the Health Director.

Council Member Cruz said that he appreciated everyone's passion. He said that he was new to the Council and past practices were water under the bridge. He said that he didn't want to use her as a scapegoat or be threatened by the Governor coming in to appoint someone. The Charter speaks for itself.

Council President Nieves said that issue had been belabored. She pointed out that this position was not a competitive process and those who submit resumes are not guaranteed an interview. It is an appointed position. Labor Relations did do an outreach. This is the Mayor's choice.

Council President Nieves said that the Governor has recently privatized the Health Department and gave the details. There are serious questions about COVID-19 being asked, such as when will the testing be done, or when will we have PPE.

This is the same process that was used for the Police Chief. Council President Nieves said that she would be voting yes because Ms. Morrissey didn't say she wouldn't move to Bridgeport, she said that she would discuss it with her family.

**\*\* THE MOTION TO APPROVE AGENDA ITEM 87-19 CONTRACTS COMMITTEE REPORT RE: NOMINATION OF LISA MORRISSEY FOR THE APPOINTMENT TO THE POSITION OF DIRECTOR OF HEALTH PASSED WITH ELEVEN (11) IN FAVOR (BURNS, TAYLOR-MOYE, MCBRIDE-LEE, SULIMAN, ROMAN-CHRISTY, NIEVES, VALLE, NEWTON, BRANTLEY, HERRON AND MARTINEZ) AND EIGHT (8) OPPOSED (BROWN, DEFILIPPO, VIZZO-PANICCIA, SILVA, CASTILLO, PEREIRA, MCCARTHY AND CRUZ) AND ONE (1) ABSTENTION (LYONS).**

Council Member Martinez asked for a moment of silence in memory of Mr. Herbert Sims for former fire fighter and worked with Housing Authority who recently passed away.

Council Member Newton asked for a point of personal privilege. Council Member Newton said that he wanted to recognize Council Member McCarthy for feeding a number of first responders. He thanked Council Member McCarthy but reminded Council Member McCarthy that he was still waiting for his ribs.

Mayor Ganim announced that the Council had to vote on the mill rate.

**\*\* COUNCIL MEMBER BURNS MOVED TO SUSPEND THE RULES FOR THE PURPOSE TO ADD AN ITEM TO THE AGENDA REGARDING THE MILL RATE FOR THE 2020-2021 FY CITY OF BRIDGEPORT MILL RATE.**

Mayor Ganim explained that this was an item for immediate consideration because the Council had to approve the mill rate within a certain time frame, which would expire before the next Council meeting.

**\*\* COUNCIL MEMBER NEWTON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

**\*\* COUNCIL MEMBER BURNS MOVED TO WAIVE REFERRAL TO COMMITTEE OF THE FISCAL YEAR 2020-21 CITY OF BRIDGEPORT MILL RATE AT 53.99 MILLS FOR REAL PROPERTY AND PERSONAL PROPERTY AND 25.00 FOR MOTOR VEHICLES. BE IT FURTHER RESOLVED THAT THE FISCAL YEAR 2020-21 TOTAL ADOPTED REVENUE AND TOTAL ADOPTED EXPENDITURES APPROPRIATIONS ARE \$571,936,510.00.**

**\*\* COUNCIL MEMBER NEWTON SECONDED.**

Atty. Anastasi said that they needed three votes. The first was to suspend the rules in order to include it on the agenda. The second vote needed would be to waive the referral to Committee for the stated reasons, and the third vote would be to approve the item.

Council Member Pereira said that she did not understand. After the budget was adopted on May 4th, she said that they were required to set the mill rate by May 11th by the City Charter.

Mayor Ganim said that the short answer was no and that if Council Member Pereira would like more details, they would be provided to her. Atty. Anastasi gave a brief overview of the process.

**\*\* THE MOTION TO WAIVE REFERRAL TO COMMITTEE PASSED WITH NINETEEN (19) IN FAVOR (BURNS, MCCARTHY, CRUZ , TAYLOR-MOYE, BROWN, DEFILIPPO, VIZZO-PANICCIA, MCBRIDE-LEE, SILVA, CASTILLO, SULIMAN, ROMAN-CHRISTY, NIEVES, VALLE, PEREIRA, NEWTON, BRANTLEY, HERRON AND MARTINEZ) AND ONE (1) OPPOSED (LYONS).**

**\*\* COUNCIL MEMBER ROMAN-CHRISTY MOVED TO APPROVE THE FISCAL YEAR 2020-21 CITY OF BRIDGEPORT MILL RATE AT 53.99 MILLS FOR REAL PROPERTY AND PERSONAL PROPERTY AND 25.00 FOR MOTOR VEHICLES. BE IT FURTHER RESOLVED THAT THE FISCAL YEAR 2020-21 TOTAL ADOPTED REVENUE AND TOTAL ADOPTED EXPENDITURES APPROPRIATIONS ARE \$571,936,510.00.**

**\*\* COUNCIL MEMBER HERRON SECONDED.**

**\*\* THE MOTION TO APPROVE THE FISCAL YEAR 2020-21 CITY OF BRIDGEPORT MILL RATE AT 53.99 MILLS FOR REAL PROPERTY AND PERSONAL PROPERTY AND 25.00 FOR MOTOR VEHICLES. BE IT FURTHER RESOLVED THAT THE FISCAL YEAR 2020-21 TOTAL ADOPTED REVENUE AND TOTAL ADOPTED EXPENDITURES APPROPRIATIONS ARE \$571,936,510.00 PASSED WITH NINETEEN (19) IN FAVOR (BURNS, MCCARTHY, CRUZ , TAYLOR-MOYE, BROWN, DEFILIPPO, VIZZO-PANICCIA, MCBRIDE-LEE, SILVA, CASTILLO, SULIMAN, ROMAN-CHRISTY, NIEVES, VALLE, PEREIRA, NEWTON, BRANTLEY, HERRON AND MARTINEZ) AND ONE (1) OPPOSED (LYONS). (ITEM #106-19)**

Council Member McBride-Lee welcomed Ms. Morrissey to Bridgeport.

Council Member Herron said that as a Co-chair of one Committee, she said that they were elected to represent the constituents. She said that it was important to respect one another and not to rush the meetings.

Council Member Brantley said that she would hold off and discuss the issues of how the masks were distributed to the black and brown community. Council Member Brantley had asked another Council Member to ask about handling of the PPE distributions and she was not satisfied with the answer. She said that she was sick and tired of seeing the black and brown people die because they didn't follow up.

Council Member McCarthy stated for the record the votes for the Health Director were 11 in favor and 8 against. City Clerk Martinez confirmed that this was correct.

Council Member McCarthy said that this was the third meeting where people have talked over other people.

Council Member Pereira suggested that it would be safer to follow Portugal's method of mailing a care kit to every household.

Council Member Cruz said that he would like to have a conversation with the Mayor. Mayor Ganim said that Council Member Cruz could speak with him as needed.

Mayor Ganim welcomed Ms. Morrissey to Bridgeport.

Ms. Morrissey said that she was looking forward to working with everyone. She said that was promising to give this job her all.

**ADJOURNMENT**

**\*\* COUNCIL MEMBER NEWTON MOVED TO ADJOURN  
\*\* COUNCIL MEMBER HERRON SECONDED.  
\*\* THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Telesco Secretarial Services



## OFFICE OF THE CITY CLERK RESOLUTION FORM

### IMMEDIATE CONSIDERATION

*Below to be used for processing of Immediate Consideration items only*

Log ID/Item number:	99-19
Submitted by Councilmember(s):	Councilman Ernest E. Newton, D-139 <sup>th</sup> ; Council President Aidee Nieves, D-137 <sup>th</sup> ; Councilwoman Denese Taylor-Moye, D-131 <sup>st</sup> ; Councilman Jorge Cruz, D-131 <sup>st</sup> ; Councilwoman M. Evette Brantley, D-132 <sup>nd</sup> ; Councilwoman Jeanette Herron, D-133 <sup>rd</sup> ; Avelino Silva D-136 <sup>th</sup> ; Councilwoman Maria I. Valle, D-137 <sup>th</sup> ; Councilwoman Eneida Martinez, D-139 <sup>th</sup> ;
Subject:	Proposed Resolution of the Bridgeport City Council Urging Creation of a SAFER Supervision Committee
Referred to Committee:	Immediate Consideration
City Council Date:	May 18, 2020

**WHEREAS**, The City of Bridgeport has been the urban hub of the tri-state region for decades, encompassing the nation's hot spot for the COVID-19 deadliest outbreak NY and our neighbors in the north, Massachusetts; and

**WHEREAS**, the State of Connecticut is reported the third per capita in COVID-19 deaths with **32,984** confirmed cases, **1,301** currently hospitalized, and **2,932** confirmed deaths as of May 10, 2020, a total that is continually rising and so far surpassing larger states such as Florida, California and Texas. A living testimony to our centrality and proximity to this deadly virus. We can further find data through recent studies supporting the fact that we can brace for an even greater impact from this virus if rigorous methods to protect our residents are not employed; and

**WHEREAS**, the characteristics that have made our City of Bridgeport the largest city of our state, and a regional leader for a destination of people from all walks of life and cultures, including those seeking to reenter the community from corrections facilities, are on probation/parole or in halfway houses, will now be critical populations requiring close scrutiny and supervision by our leaders to combat this epidemic; and

**WHEREAS**, the **SAFER** Initiative directly targets our community's interest:

**S:** Suspend incarceration for technical violations; suspend probation office visits and payment of fines;

**A:** Adopt smart alternatives to incarceration for supervision violations, adopt smart alternatives to in-person supervision conditions;

**F:** Free medical visits and treatment, hand sanitizer, soap, and protective gear;

**E:** Extra precautions for probation and parole officers and staff;

**R:** Release elderly and vulnerable people onto supervision;

**WHEREAS**, the identification with a zero tolerance to discrimination of all avenues or fractions that could pose as a threat to our intertwined neighborhoods should be identified.

**NOW, THEREFORE, BE IT RESOLVED**, that the Bridgeport City Council, together with Mayor Ganim and the Department of Health and Human Services shall establish a **SAFER** Supervision Committee, paying close attention to residents rejoining our neighborhoods from the various DOC facilities, businesses that rely on out of state distribution networks, our homeless population;



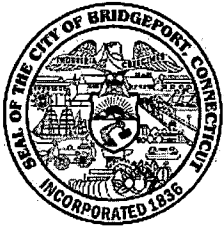
**OFFICE OF THE CITY CLERK  
RESOLUTION FORM**

**BE IT FURTHER RESOLVED**, that the Bridgeport City Council, together with Mayor Ganim and other local and State Elected Officials pursue a **SAFER** Supervision Executive Order to be issued by Governor Lamont in response to the injustice and public health inequalities attributed to COVID-19.

**Attest:**  
*Lydia N. Martinez*  
**Lydia N. Martinez, City Clerk** Date **5-18-2020**

**Approved by:**  
**Joseph P. Ganim, Mayor** Date

Please Note: Mayor didn't sign



**OFFICE OF THE CITY CLERK  
COMMUNICATION FORM**

**IMMEDIATE CONSIDERATION**

*Below to be used for processing of Immediate Consideration items only*

Log ID/Item number:	104-19
Submitting Department / Contact Name	Central Grants Office Isolina DeJesus, Director
Subject:	Grant Submission: U.S. Department of Transportation Federal Aviation Administration (FAA) – 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant Airport.
Referred to Committee:	Immediate Consideration
City Council Date:	May 18, 2020

**Attest:**

*Lydia N. Martinez*

**Lydia N. Martinez, City Clerk**

*5-18-2020*

**Date**

**Approved by:**

**Joseph P. Ganim, Mayor**

**Date**

Please Note: Mayor didn't sign



**Comm.# 104-19 Referred for Immediate Consideration on May 18, 2020.**

May 13, 2020

City of Bridgeport  
45 Lyon Terrace, Room 204  
Bridgeport, Connecticut 06604

**Re: Resolution – U.S. Department of Transportation Federal Aviation Administration (FAA) – Airport Program-2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act**

Attached, please find a Grant Summary and Resolution for the **U.S. Department of Transportation Federal Aviation Administration (FAA) – Airport Program 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant Program.**

The application process for this solicitation is being fast tracked due to the public health emergency. We respectfully request that this be added as an item to the City Council's meeting agenda on Monday, May 18, 2020 for **IMMEDIATE CONSIDERATION** in order to execute necessary and required documents to ensure participation in the program.

If you have any questions or require additional information, please contact me at 203-576-7134 or [isolina.dejesus@Bridgeportct.gov](mailto:isolina.dejesus@Bridgeportct.gov).

Thank you,

Isolina DeJesus  
Central Grants Office



## GRANT SUMMARY

**PROJECT TITLE:** U.S. Department of Transportation Federal Aviation Administration (FAA)  
– 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant

NEW  RENEWAL  CONTINUING

**DEPARTMENT SUBMITTING INFORMATION:** Central Grants Office

**CONTACT NAME:** Isolina DeJesus

**PHONE NUMBER:** 203-576-7134

**PROJECT SUMMARY/DESCRIPTION:** The City of Bridgeport is seeking funding available to the Sikorsky Memorial Airport by the Federal Aviation Administration (FAA) through the CARES Act. The Airport is eligible to apply for \$157K to assist with payroll and other operational expenses. The Airport Commission voted to utilize the funds for operations and maintenance purposes.

**CONTRACT PERIOD:** 2 years (TBD)

Federal:	\$ 157,000
State:	\$
City:	\$
Other:	\$

GRANT FUNDED PROJECT FUNDS REQUESTED	
Salaries/Benefits:	\$
Contractual	\$
Other:	\$

MATCH REQUIRED – NONE		
	CASH	IN-KIND
Source:	\$ 0	\$0

**A Resolution by the Bridgeport City Council**

**Regarding the  
U.S. Department of Transportation Federal Aviation Administration (FAA)  
2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant**

**WHEREAS**, the U.S. Department of Transportation Federal Aviation Administration is authorized to extend financial assistance to municipalities in the form of grants; and

**WHEREAS**, this funding has been made possible through the **2020 CARES Act (H.R. 748, Public Law 116-136)**; and

**WHEREAS**, the purpose of the grant program is to provide funding for airport capital projects and/or operating expenses, such as, payroll or utilities; and

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport submit an application to the **U.S. Department of Transportation Federal Aviation Administration – 2020 Coronavirus Aid, Relief, and Economic Security Act Grant** to provide the airport with resources necessary for repairs, maintenance and operations.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with the **U.S. Department of Transportation Federal Aviation Administration** for the purpose of the **2020 Coronavirus Aid, Relief, and Economic Security Act Grant**.
2. That it hereby authorizes, directs and empowers the Mayor or his designee, the Director of Central Grants, to execute and file such application with the **U.S. Department of Transportation Federal Aviation Administration** and to provide such additional information and to execute such other contracts, amendments, and documents as may be necessary to administer this program .

## Ortiz, Frances

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**From:** Showah, Ava  
**Sent:** Wednesday, May 13, 2020 4:26 PM  
**To:** Ortiz, Frances  
**Cc:** Williams, Althea; DeJesus, Isolina  
**Subject:** Resolution Packages for 5/18 City Council Agenda - Immediate Consideration  
**Attachments:** Final - Resolution Package - CT DEMHS - FEMA Disaster Relief for COVID-19 -1.docx;  
Resolution Package - FAA Cares Act - Immediate Consideration.docx

Hi Frances,

Please see attached resolution packages for CT DEMHS - FEMA Disaster relief for COVID-19 and U.S. Department of Transportation Federal Aviation Administration (FAA) – 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant Airport.

Thank you,

*Ava Showah  
Administrative Assistant  
Office of Central Grants  
999 Broad Street  
Bridgeport, CT 06604*



# OFFICE OF THE CITY CLERK COMMUNICATION FORM

## IMMEDIATE CONSIDERATION

*Below to be used for processing of Immediate Consideration items only*

Log ID/Item number:	105-19
Submitting Department / Contact Name	Central Grants Office Isolina DeJesus, Director
Subject:	Grant Submission: re State of Connecticut Department of Emergency Management and Homeland Security – FEMA Public Assistance Disaster Relief for COVID-19.
Referred to Committee:	Immediate Consideration
City Council Date:	May 18, 2020

**Attest:**

*Lydia N. Martinez*

Lydia N. Martinez, City Clerk

5-18-2020

Date

**Approved by:**

Joseph P. Ganim, Mayor

Date

Please Note: Mayor didn't sign

**Comm.# 105-19 Referred for Immediate Consideration on May 18, 2020.**

May 13, 2020

Office of the City Clerk  
City of Bridgeport  
45 Lyon Terrace, Room 204  
Bridgeport, Connecticut 06604

**Re: Resolution – State of Connecticut Department of Emergency Management and Homeland Security – FEMA Public Assistance Disaster Relief for COVID-19**

Attached, please find a Grant Summary and Resolution for an application to the **State of Connecticut Department of Emergency Management and Homeland Security – FEMA Public Assistance Disaster Relief for COVID-19**.

The application process for this solicitation is being fast tracked due to the public health emergency. We respectfully request that this be added as an item to the City Council's meeting agenda on Monday, May 18, 2020 for **IMMEDIATE CONSIDERATION** in order to execute necessary and required documents to ensure participation in the program.

If you have any questions or require additional information, please contact me at 203-576-7134 or [isolina.dejesus@Bridgeportct.gov](mailto:isolina.dejesus@Bridgeportct.gov).

Thank you,

Isolina DeJesus  
Central Grants Office



## GRANT SUMMARY

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**PROJECT TITLE:** State of Connecticut Department of Emergency Management and Homeland Security- FEMA Public Assistance Disaster Relief for COVID-19

NEW  RENEWAL  CONTINUING

**DEPARTMENT SUBMITTING INFORMATION:** Central Grants Office

**CONTACT NAME:** Isolina DeJesus

**PHONE NUMBER:** 203-576-7134

**PROJECT SUMMARY/DESCRIPTION:** The City of Bridgeport is seeking to participate in the Federal Emergency Management Administration's Public Assistance Program. This grant program provides funds to assist communities responding to and recovering from major disasters or emergencies declared by the President.

On March 13, 2020, the President declared that an emergency exists nationwide as a result of COVID-19 beginning on January 20, 2020 and continuing. Under this declaration, FEMA will provide financial and/or direct assistance to the State of Connecticut under Category B of the Public Assistance Program as authorized by Section 502 of the Stafford Act.

Eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Public Assistance Category B. Emergency protective measures are activities conducted to address the immediate threats to life, public health, and safety. Under the COVID-19 Emergency Declaration, FEMA may provide assistance for emergency protective measure including, but not limited to, the following, if not funded by the HHS/CDC or other federal agency: training specific to the event, disinfection of eligible public facilities, purchase and distribution of food, water, ice, medicine, and other consumable supplies, to include personal protective equipment and hazardous material suits, security and law enforcement, force account overtime costs, and communication of general health and safety information.

The assistance FEMA provides is subject to a cost share. The federal share is not less than 75% of eligible costs.

**CONTRACT PERIOD:** 01/20/20 – TBD (event is currently ongoing)

Federal:	\$ TBD – 75% of eligible costs
State:	\$
City:	\$ TBD – 25% of eligible costs
Other:	\$

**A Resolution by the Bridgeport City Council**

**Regarding the  
State of Connecticut Department of Emergency Management and Homeland Security  
Federal Emergency Management Administration (FEMA)  
Public Assistance Program for COVID-19**

**WHEREAS**, the **Federal Emergency Management Administration (FEMA)** is authorized to extend financial assistance to the **State of Connecticut** in the form of grants; and

**WHEREAS**, this funding has been made possible through the **Public Assistance Grant Program**; and

**WHEREAS**, the purpose of the grant program is to assist communities responding to and recovering from major disasters or emergencies declared by the President; and

**WHEREAS**, On March 13, 2020, the President declared that an emergency exists nationwide as a result of COVID-19 beginning on January 20, 2020 and continuing.

**FEMA has administratively numbered the declaration for the State of Connecticut as:  
FEMA-3439-EM-CT  
DR-4500-CT**

Under this declaration, FEMA will provide financial and/or direct assistance to the State of Connecticut under Category B of the Public Assistance Program as authorized by Section 502 of the Stafford Act; and

**WHEREAS**, 75% of eligible emergency protective measures taken to respond to the COVID-19 emergency at the direction or guidance of public health officials may be reimbursed under Public Assistance Category B. Emergency protective measures are activities conducted to address the immediate threats to life, public health, and safety; and

**WHEREAS**, it is desirable and in the public interest that the City of Bridgeport submit an application to the **State of Connecticut Department of Emergency Management and Homeland Security Federal Emergency Management Administration Public Assistance Grant Program** to receive reimbursement of eligible costs incurred by city departments for COVID-19 activities.

**NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL:**

1. That it is cognizant of the City's grant application to and contract with the **State of Connecticut Department of Emergency Management and Homeland Security** for the purpose of its **Federal Emergency Management Administration Public Assistance Program for COVID-19**.
2. That it hereby authorizes, directs and empowers the Mayor or his designee, the Director of Central Grants, to execute and file such application with the **State of Connecticut Department of Emergency Management and Homeland Security** and to provide such additional information and to execute such other contracts, amendments, and documents as may be necessary to administer this program .



## Ortiz, Frances

---

**From:** Showah, Ava  
**Sent:** Wednesday, May 13, 2020 4:26 PM  
**To:** Ortiz, Frances  
**Cc:** Williams, Althea; DeJesus, Isolina  
**Subject:** Resolution Packages for 5/18 City Council Agenda - Immediate Consideration  
**Attachments:** Final - Resolution Package - CT DEMHS - FEMA Disaster Relief for COVID-19 -1.docx;  
Resolution Package - FAA Cares Act - Immediate Consideration.docx

Hi Frances,

Please see attached resolution packages for CT DEMHS - FEMA Disaster relief for COVID-19 and U.S. Department of Transportation Federal Aviation Administration (FAA) – 2020 Coronavirus Aid, Relief, and Economic Security (CARES) Act Grant Airport.

Thank you,

*Ava Showah  
Administrative Assistant  
Office of Central Grants  
999 Broad Street  
Bridgeport, CT 06604*

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY

999 Broad Street  
Bridgeport, CT 06604-4328

CITY ATTORNEY  
R. Christopher Meyer

DEPUTY CITY ATTORNEY  
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS

Michael C. Jankovsky  
Richard G. Kascak, Jr.  
Bruce L. Levin  
John R. Mitola  
Lawrence A. Ouellette, Jr.  
Tyisha S. Toms  
Lisa R. Trachtenburg

ASSISTANT CITY ATTORNEYS

Dina A. Scalo  
Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203) 576-8252



March 11, 2020

The Honorable City Council  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: REFERRAL TO MISCELLANEOUS MATTERS COMMITTEE**  
**Proposed Settlement of Pending Litigation in the Matter of**  
***William McMahon v. City of Bridgeport* – Docket No. FBT-CV-18-6079485-S.**

Dear Councilpersons:

- a. **Submission Title:** Request for Litigation Settlement Approval.
- b. **Submitting Entity:** Office of the City Attorney.
- c. **Contact Person:** Associate City Attorney Bruce L. Levin – contact info. above.
- d. **Approval Deadline:** Thirty (30) days from release to avoid statutory interest charges.
- e. **Case Summary:** The plaintiff is claiming damages allegedly sustained on February 14, 2018 at premises located at 1225 Connecticut Avenue, Bridgeport. He is claiming injuries and damages when a drainage grate collapsed under his tractor trailer truck as he was backing into the loading dock on the premises. The plaintiff has a Workers Compensation lien in the amount of \$52,745.10, he was out of work for seven weeks, and his medical expenses totaled \$12,791.43. He was assigned a 10% permanent partial impairment rating to his lumbar spine by his treating physician. The defendant in this case is the City of Bridgeport.
- f. **Council Action Requested:** Approval of request for settlement.
- g. **Financial Impact Analysis:** Total cost to the City will be a total of \$40,000.00 to be paid to Attorney Michael W. Cahill of 43 Trumbull Street, New Haven, CT 06510 in his capacity as Trustee for William McMahon.
- h. **Funding Budget-Line:** The settlement payment will be made from the City Attorney Office Operating Budget Line-Item "*Personal Property Claims Atty. #01-01-006-060-000-53010*".

Page Two

i. **Proposed Motion:** Motion to authorize and approve payment of \$40,000.00 in full and final settlement of *William McMahon v. City of Bridgeport* – Docket No. FBT-CV-18-6079485-S.

**Kindly place this matter on the agenda for the next City Council meeting for referral to the Miscellaneous Matters Committee only. Thank you for your assistance in this matter.**

Very truly yours,



R. Christopher Meyer  
City Attorney

cc: Lydia Martinez, City Clerk  
Frances Ortiz, Assistant City Clerk  
Bruce L. Levin, Associate City Attorney  
Amanda L. Keppler, Paralegal

## BOARD OF EDUCATION

City Hall - 45 Lyon Terrace  
Bridgeport, Connecticut 06604

**MICHAEL J. TESTANI**  
Acting Superintendent of Schools

### MEMBERS OF THE BOARD

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**HERNAN ILLINGWORTH**  
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"Changing Futures and Achieving Excellence Together"

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**JOSEPH SOKOLOVIC**

**CHRIS TAYLOR**

May 7, 2020

The Honorable City Council  
c/o City Clerk  
45 Lyon Terrace  
Bridgeport, Connecticut 06604

**Reference:** Grant Application for School Construction Work

Dear Honorable City Council Members:

The Board of Education respectfully requests that the City Council authorize the following school construction project application for State grants and the initiation of design for Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus.

Please forward this request to the Committee on Education and Social Services for their review at your earliest convenience. The resolution must read as below:

**RESOLVED**, In accordance with the Charter of the City of Bridgeport, Chapter 5, Section 11, the following resolution was approved on \_\_\_\_\_ by the City Council of the City of Bridgeport and does not require Mayoral signature; said approval effective as of \_\_\_\_\_.

**RESOLVED**, that the Bridgeport City Council authorizes the Bridgeport Board of Education to apply to the Commissioner of Education and to accept or reject a grant for Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus.

**RESOLVED**, that the Bridgeport School Building Committee is hereby established as the building committee with regards to the Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus.

**RESOLVED**, that the Bridgeport City Council authorizes at least the preparation of schematic drawings and outline specification for Underground Oil Tank Removal Projects at the following schools; JFK Campus, Read, John Winthrop, Park City Magnet, Wilbur Cross and Columbus.

Attest:

A handwritten signature in black ink, appearing to read "M. Testani", with a long horizontal flourish extending to the right.

Michael J. Testani  
Acting Superintendent of Schools

MT: pb

Alan Wallack  
Rita Valle  
Larry Schilling

## Ortiz, Frances

---

**From:** Valle, Rita <rvalle@bridgeportedu.net>  
**Sent:** Friday, May 8, 2020 11:47 AM  
**To:** Ortiz, Frances  
**Cc:** Testani, Michael; Wallack, Alan; Lee, Penny; Valle, Rita; Grasty, Timothy  
**Subject:** For Submission to City Council  
**Attachments:** Grant Application.pdf - Adobe Acrobat Pro.pdf

Hello Frances,

Please see the attached document being submitted to go before the City Council.

Thank you,  
Rita

**Rita Marie Valle-Shastri**

*Office of the Superintendent - Bridgeport Public Schools  
45 Lyon Terrace, Room 203  
Bridgeport, Connecticut 06604  
(203) 275-1001 Phone (203) 337-0150 Fax  
Email: [rvalle@bridgeportedu.net](mailto:rvalle@bridgeportedu.net)*

Office of Planning and Economic Development  
999 Broad Street  
Bridgeport CT 06604

May 18, 2020  
Honorable City Clerk  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Request to Withdraw Item # 100-19  
Affordable Housing Tax Incentive Development Agreement – Windward Commons**

Dear City Clerk and Honorable Members of the City Council:

OPED hereby requests that Item #100-19 be withdrawn.

Truly yours,

***Bill Coleman***

Bill Coleman  
Deputy Director

C: Thomas Gill, Director  
Mark Anastasi, Esq., Associate City Attorney  
Ron Pacacha, Esq., of Counsel to the City Attorney's Office  
Thomas Gaudett, Office Mayor Ganim

**Comm.# 100-19 Referred to Joint Committee on ECD & Environment and Contracts Committee on 5/18/2020.**

Office of Planning and Economic Development  
999 Broad Street  
Bridgeport CT 06604

May 10, 2020  
Honorable City Clerk  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Affordable Housing Tax Incentive Development Agreement – Windward Commons**

Dear City Clerk and Honorable Members of the City Council:

For your consideration, the attached resolution would authorize an Affordable Housing Tax Incentive Development Agreement for the Windward Commons development at the corner of Park Avenue and Railroad Avenue, at 20 Johnson Street, in the South End.

This item is for referral to the Joint ECDE and Contracts Committee, which we would respectfully request be convened by a date that would allow for a final vote at the full Council meeting of June 1<sup>st</sup>.

Truly yours,

***Bill Coleman***

Bill Coleman  
Deputy Director

C: Thomas Gill, Director  
Mark Anastasi, Esq., Associate City Attorney  
Ron Pacacha, Esq., of Counsel to the City Attorney's Office  
Thomas Gaudett, Office Mayor Ganim



**A Resolution Authorizing  
an  
Affordable Housing Tax Incentive Development Agreement  
for  
Windward Commons  
at  
20 Johnson Street**

**WHEREAS** the JHM Group, acting through its affiliate entity, “Windward Development Associates LLC,” (the “**Developer**”), pursuant to its agreements with Park City Communities (formerly known as the Bridgeport Housing Authority), is to become the long-term lessee and Developer of the real property known as 20 Johnson Street (the “**Property**”);

**WHEREAS** the Developer intends to invest approximately \$27 MM (twenty seven million dollars) in newly constructed improvements on the Property to consist of approximately fifty-four (54) units of low- and moderate-income housing, as well as an approximately 7,000 square-foot ground floor facility for the Southwest Community Health Center, as well as necessary and related ancillary facilities including lobby space, outdoor space, and off-street parking, all designed to support on-site resident needs as well as to provide broader community amenities, (the “**Project**”);

**WHEREAS** the Project has been approved by the Planning and Zoning Commission of the City;

**WHEREAS** the Developer has made application to the City’s Office of Planning and Economic Development (“OPED”) for an Affordable Housing Tax Incentive Development Agreement (the “**Agreement**” attached hereto as **Attachment A**) which would establish a phased-in, increasing tax payment schedule for the Project over a two (2) year construction period, and a fifteen (15) year operating period as more particularly described in the “Affordable Housing Development Incentive Analysis Windward Commons, dated 5/10/2020” attached hereto as **Attachment B**;

**WHEREAS** the Property has been owned for decades by the federal public housing authority and has not produced real estate tax revenue for the City for many years;

**WHEREAS** pursuant to the Agreement, the Project would produce an average of approximately \$111,000 per year in tax revenue for the City during the fifteen-year operating period;

**WHEREAS** over the course of the Agreement, the Project would produce, in fees and taxes, over \$2.1MM in revenue for the City, including an estimated \$449,000 in building permit fee revenue at the commencement of construction;

**WHEREAS** the Project is subject under the Agreement to the provisions of *City Ordinance Ch. 3.29 – Employment Opportunities with Developers Fostering Economic Development*, which will

be administered by the City's Office of Contract Compliance, and which requires that during the development of this Project the first consideration of any additional employment of tradesmen/tradeswomen and/or any apprentices to be working on this Project will be given to qualified applicants who are residents of the City and/or who are ex-felons to the greatest extent possible toward meeting the requirements of twenty (20%) percent local resident hires and five (5%) percent ex-felon hires; Office of Contract Compliance;

**WHEREAS** the Agreement requires that the Developer also comply with the *City's Minority Business Enterprise Program Ordinance, Chapter 3.12.130 of the Code of Ordinances*, which will be administered by the City's Office of Small and Minority Business Enterprise, and which establishes a thirty (30) % attainable goal for Minority Business Enterprises, which includes a requirement that six percent (6.0%) of the value of the construction contracts awarded for the Project go to African-American Minority Business Enterprises, and establishes an attainable goal that fifteen percent (15%) of the value of the Project's construction contracts be awarded to Women-Owned Business Enterprises;

**WHEREAS** Sections 8-215 and Section 8-216 of the Connecticut General Statutes (the "Statute") provide that municipalities may by ordinance provide for real estate tax abatements for housing developed for low or moderate-income persons, and may enter into Agreements with the State of Connecticut, acting through its Department of Housing (the "State") to provide for the State's reimbursement, at the State's discretion, to the municipality of such taxes abated for this purpose;

**WHEREAS** the Statute provides that such tax abatement shall be used for one or more of the following purposes: (1) To reduce rents below the levels which would be achieved in the absence of such abatement and to improve the quality and design of such housing; (2) to effect occupancy of such housing by persons and families of varying income levels within limits determined by the Commissioner of Economic and Community Development by regulation, or (3) to provide necessary related facilities or services in such housing;

**WHEREAS**, the Project is financed through a combination of sources, including equity from the syndication of federal Low-Income Housing Tax Credits, as well as funding from the State of Connecticut Department of Housing ("CT DOH") the Connecticut Housing Finance Authority ("CHFA"), and the Federal Home Loan Bank;

**WHEREAS** the Project's 54 housing units are to be developed in a mixed-income program that provides for 43 units that are to be restricted to occupants earning less than specifically designated levels of family income -- denoted as 25%, 50%, and 60%, of the Area's Median Income ("AMI") -- which corresponds roughly to family incomes from \$17,000 to \$20,000 (for 25% AMI), from \$35,000 to \$40,000 (for 50% AMI), and from \$43,000 to \$48,000 (for 60% AMI) with restricted monthly rents ranging from approximately \$675 to \$1100 for a one-

bedroom, and from approximately \$800 to \$1300 for a two-bedroom, such that all of these 43 units shall meet the definition in Sec. 8-202 of the Statute as being restricted to “housing solely for low or moderate-income persons or families”;

WHEREAS, per the CHFA policy guidelines requiring economic integration, the program also provides for 11 units that are unrestricted market rate units;

WHEREAS, OPED has analyzed the financial structure of the Project, the Developer’s application to OPED for an Affordable Housing Tax Incentive Development Agreement, and its consolidated application for financing from CHFA and CT DOH;

WHEREAS, in analyzing the financial structure of the Project, OPED has subjected it to an economic pro forma analysis against industry and market standards for this type of Project, considering such factors as Developer equity and return, costs of construction, leveraging of private financing, all as per the requirements of the *City’s Affordable Housing Tax Incentive Development Program, Ch 3.24 of the Municipal Code*;

WHEREAS, OPED represents to the Council that the proposed Agreement is in keeping with Affordable Housing Tax Incentive Development Policy established by City Ordinance, and is warranted and necessary for the success of the Project such that without the Affordable Housing Tax Incentive Agreement, the Project would not proceed;

The above recitals are incorporated into the body of this resolution.

**NOW THEREFORE BE IT RESOLVED** that the Agreement is hereby approved in substantially the form attached hereto, and that the Mayor or the OPED Director is authorized to execute the attached Agreement, and each is authorized to take such other necessary actions in furtherance of the Agreement and consistent with this resolution in the best interests of the City.

**BE IT FURTHER RESOLVED** that the Mayor, the Chief Administrative Officer, the Director of the Office of Planning and Economic Development, the Tax Assessor, and the Tax Collector, are each authorized to negotiate and execute such agreements, including Agreements with the Developer and Agreements with the State, and take such other necessary or desirable actions in furtherance of the Project and consistent with this resolution as they may deem to be in the best interests of the City.

**AFFORDABLE HOUSING TAX INCENTIVE DEVELOPMENT AGREEMENT  
BY AND BETWEEN**

**THE CITY OF BRIDGEPORT (“CITY”)**

**AND**

**WINDWARD DEVELOPMENT ASSOCIATES, LLC (“DEVELOPER”)**

**RE: The Windward Apartments, Phase I  
20 Johnson Street, Bridgeport, CT 06604**

**WHEREAS**, the Developer, having a principal place of business located at c/o JHM Group of Companies, 1266 East Main Street, Suite 601, Stamford, CT 06902, owns certain real property located at 20 Johnson Street, Bridgeport, Connecticut as more particularly described in **Schedule A** attached hereto and made a part hereof (the **“Property”**) and intends to invest significant sums in the construction or renovation of the Property in order to create approximately fifty-four (54) units of low- and moderate-income housing and ground floor commercial space (the **“Project”**) on the Property; and

**WHEREAS**, the Property consists of real property that currently produces no tax revenue; and

**WHEREAS**, the Developer has submitted an application for tax relief in accordance with Municipal Code Chapter 3.24 (**“Affordable Housing Tax Incentive Development Ordinance”** or **“Ordinance”**) that allows for assistance when a project includes housing for low or moderate-income persons or families and the Developer agrees that monies equal to the amount of such tax relief shall be invested in such project to achieve the objectives set forth in Ch. 3.24.040.A (the **“Affordable Housing Objectives”**); and

**WHEREAS**, the Developer intends to construct the Project, which would ordinarily be subject to real property taxes based upon the assessed value of the property multiplied by the City's then-current mill rate ("**Taxes**"); and

**WHEREAS**, the Office of Planning and Economic Development ("**OPED**") has reviewed the proposed Project in light of the Ordinance and the official policies and procedures approved by the Bridgeport City Council on May 18, 2020 and has determined that the Project is an eligible project and that the projected level of future Taxes on the Property and the Project under normal assessment and levy practices would make the proposed Project economically unfeasible; and

**WHEREAS**, the Developer's pursuit of the Project on the Property would be beneficial to the City because it eliminates an uninhabitable and unsafe public housing project and provides for the creation of needed affordable housing within a proven, mixed-income, private development program model; and

**WHEREAS**, the Developer has agreed and committed to develop the Project on the Property and the total investment will be approximately Twenty-Seven Million (\$27,000,000.00) Dollars; and

**WHEREAS**, OPED has determined that the Project is entitled to a tax incentive that will permit the Taxes (a) to be fully abated during a maximum two-year construction period and thereafter (b) to be partially abated and phased-in during the first fifteen (15) years of the Project's operation commencing with the issuance of a certificate of occupancy for the Project (collectively, the "**Term**") in the amount of One Thousand Six Hundred Sixty-Six and 67/100 (\$1,666.67) Dollars per unit per year for the first year of the Project's operation, which payment shall thereafter increase based on a 3% escalator per year on the dates set forth in **Exhibit A** attached hereto and made a part hereof (the "**Tax Incentive**") and

**WHEREAS**, the Developer has agreed that the amount of such Tax Incentive will be invested in the Project to achieve the Affordable Housing Objectives; and

**WHEREAS**, the Developer has emphasized its willingness and proven its capability to undertake the Project, conditioned upon the execution of an appropriately structured tax incentive development agreement ("**Tax Incentive Agreement**") with the City authorized by the Ordinance; and

**WHEREAS**, OPED has reviewed the Developer's application for a Tax Incentive Agreement and has determined that the Project meets all of the requirements and economic tests of the Ordinance; and

**WHEREAS**, the parties agree that the Property and the Project (collectively, the "Development Property") meet the definition of "housing solely for low or moderate-income persons or families" as defined in Connecticut General Statutes, Section 8-202, and the parties intend for the Development Property to be exempt, in whole or in part as described herein, from Taxes pursuant to Connecticut General Statutes Section 8-215 in order to ensure that the Project is economically feasible; and

**WHEREAS**, this Project is intended to meet the requirements for reimbursement of taxes from the State of Connecticut that would have otherwise been imposed on the Project pursuant to the provisions of Connecticut General Statutes Section 8-216; and

**WHEREAS**, the scheduled Tax Incentive Payments (as defined below) shall at all times during and following each successive Grand List Year during the Term constitute a valid and legally binding lien on the Project with full priority in accordance with applicable Connecticut law as set forth in Connecticut General Statutes Section 12-172.

[NOTE: Capitalized terms not otherwise defined herein, shall have the meanings ascribed to them in the Tax Incentive Ordinance or in the Connecticut General Statutes cited herein.]

**NOW, THEREFORE**, the City and the Developer agree as follows:

The recitals set forth above are incorporated into and made part of this Tax Incentive Agreement .

1. **Tax Incentive Schedule; Commencement Date; Installments.** The Developer and the City hereby enter into this Agreement for the Property permitting the establishment of Taxes during the Term, as follows:

(a) Construction Period Tax Abatement. No Taxes shall be due on the Property from the date hereof ("**Effective Date**") until the earlier to occur of the following events ("**Construction Period Tax Abatement**"):

(i) Two (2) years after the Effective Date; or

(ii) Issuance of a certificate of occupancy for the Project.

(b) First Fifteen (15) Years of Project Operation. Following the expiration of the Construction Period Tax Abatement, the Project will be deemed to be in operation and Taxes due on the Property for the first fifteen (15) years of operation (the 15-year period being collectively referred to as the “**Operating Period Tax Abatement**”) shall be equal to an amount that is One Thousand Six Hundred Sixty-Six and 67/100 (\$1,666.67) Dollars per unit/per year for the first year, which payment shall thereafter increase in accordance with paragraph (c) below, a year being the 12-month period starting on July 1 of one year and ending of June 30 of the following year (each, a “**Year**”).

(c) Annual Escalator. Beginning in the second Year of the Operating Period Tax Abatement until the end of the Term, the taxes due pursuant to the Tax Incentive shall increase three (3.0%) percent per Year above the Tax Incentive in effect for the prior Year as set forth on **Exhibit A** attached hereto and made a part hereof.

The Taxes due pursuant to paragraphs (b) through (c) above shall collectively be referred to as “**Tax Incentive Payments**” and each a “**Tax Incentive Payment**” during the Term, such Tax Incentive Payments being in lieu of all otherwise applicable Taxes on the Property and the Project from the date hereof through the end of the Term.

2. **Priority of Tax Incentive Payment Obligations.** The Tax Incentive Payments shall be applicable only as defined herein, shall be due and payable in Installments described on **Exhibit A**, and shall be subject to the City’s right to enjoy and exercise all of the rights and privileges relating to such Tax Incentive Payments including lien priority as are set forth in Connecticut General Statutes, Section 12-172.

3. **Late Payment of Installments; Interest.** If any installment is paid more than thirty (30) days after it becomes due (a “**Delinquency**”), said installment shall bear interest at the statutory rate, currently 18% per annum, until paid without any notice or demand being required.

4. **Defaults; Remedies.** A default (“**Default**”) shall exist hereunder if any of the following occur (each an “**Event of Default**”): If the Developer: (a) shall have allowed any Delinquency to occur and continue in excess of 90 days (provided that no fewer than 30 days written notice thereof and opportunity to cure shall have been

provided to Developer by City);; or (b) violated any other material obligations on its part to be performed hereunder and such Event of Default continued beyond any applicable cure period. Upon the occurrence of an Event of Default under the foregoing subsections, the Developer shall have thirty (30) days to cure such Default after receipt of written notice from the City, and in the case of subsection (b) above, such written notice will provide details as to the alleged violation. Upon the occurrence of a Default that is not cured after the passage of any cure period hereunder, the City shall have the right (i) to terminate this Tax Incentive Agreement upon the giving of thirty (30) days' written notice, (ii) to record a notice in the Bridgeport land records terminating the Tax Incentive Agreement as of the date that termination takes effect, (iii) to collect all unpaid installments due up to the date of termination, and (iv) to prospectively reinstate the Taxes that would otherwise be due on the Property and the Project in the absence of this Tax Incentive Agreement including costs and expenses of collection and reasonable attorneys' fees whether or not litigation is commenced. Termination of this Tax Incentive Agreement shall not invalidate, increase, or otherwise impact previous payments of Taxes for the period such payments were due or made. The Property and Project shall be listed as development property as defined in Connecticut General Statutes, Section 7-482 on the City of Bridgeport Tax Assessor's records, and shall be subject to the provisions of Chapter 205 Municipal Tax Liens, of the Connecticut General Statutes, Sections 12-171 to 12-195g et seq. Notwithstanding anything to the contrary contained in this Tax Incentive Agreement, all parties identified to receive notice with Developer under Section 11 below shall have the right, but not the obligation, to cure Defaults under this Tax Incentive Agreement, and City agrees to accept cures tendered by any such noticed parties pursuant to the same terms and conditions as are provided to Developer herein.

5. **No Waiver.** Any forbearance or delay by the City in enforcing this Tax Incentive Agreement or in exercising any right or remedy hereunder at law or in equity shall not constitute a waiver of a Default nor shall it preclude the City from exercising any such right or pursuit of said remedy in the future.

6. **WPCA Fees.** This Tax Incentive Agreement and the Taxes to be paid are separate and distinct from any Water Pollution Control Authority user charges that the Developer may be obligated to pay.

7. **Commencement of Construction; Developer Investment.** The Developer agrees to commence construction of the Project within six (6) months after



the execution of this Tax Incentive Agreement and shall complete the Project no later than twenty-four (24) months after the execution of this Tax Incentive Agreement. The total investment for the development, construction and environmental remediation costs relating to the Project is approximately Twenty-Seven Million (\$27,000,000.00) Dollars.

8. **Binding Effect.** This Tax Incentive Agreement shall be binding upon the City and the Developer, and their respective successors and permitted assigns, expressly including any mortgage lender succeeding to the interests of Developer in the Development Property and shall be recorded in the Bridgeport Land Records in order to be effective.

9. **Amendments.** This Tax Incentive Agreement may only be modified or amended by a written agreement, duly executed by all the parties hereto.

10. **Notices.** All notices required or desired hereunder shall be in writing and shall be delivered by certified mail, return receipt requested, postage prepaid, deposited in a repository of the United States Postal Service or by a recognized overnight courier service addressed to the receiving party at its address specified below:

All notices to the City:      Director  
   Office of Planning and Economic Development  
   City of Bridgeport  
   Margaret E. Morton Government Center  
   999 Broad Street, 2<sup>nd</sup> Floor  
   Bridgeport, CT 06604

with a copy to                      City Attorney  
   Office of the City Attorney  
   City of Bridgeport  
   Margaret E. Morton Government Center  
   999 Broad Street, 2<sup>nd</sup> Floor  
   Bridgeport, CT 06604

All notices to Developer:

Windward Development Associates, LLC  
c/o JHM Group of Companies  
1266 East Main Street, Suite 601  
Stamford, Connecticut 06902  
Attention: Todd D. McClutchy

with a copy to: Berkowitz, Trager & Trager, LLC  
8 Wright Street  
Westport, Connecticut 06880  
Attention: Elizabeth A. Brower

and a copy to: TRG Bridgeport Community Renewal, LLC  
777 West Putnam Avenue  
Greenwich, CT 06830

And a copy to: U.S.A. Institutional Tax Credit Fund CX L.P.  
c/o JDF, LLC  
777 West Putnam Avenue  
Greenwich, CT 06830

And a copy to: Bank of America, N.A.  
One Bryant Park, 35<sup>th</sup> Floor  
New York, NY 10036  
Attention: Robert M. Tyrell

and a copy to: The Housing Authority of the City of Bridgeport  
d/b/a Park City Communities  
150 Highland Avenue  
Bridgeport, Connecticut 06604  
Attention: Executive Director

and a copy to: Hoopes Morganthaler Rausch & Scaramozza LLC  
185 Asylum St  
Hartford, CT 06103  
Attention: Melanie S. Rausch

11. **Payment Procedure.** The Developer shall make all Installments payable to the Tax Collector, City of Bridgeport, 45 Lyon Terrace, Bridgeport, CT 06604, and shall submit each installment with a notation to the Tax Collector that said payment is being made in accordance with this “**Tax Incentive Agreement**” for the Property. The Developer will receive tax bills on a regular basis based upon the Property’s assessed value, however, in order to take advantage of the rights and privileges offered by this Tax Incentive Agreement, the Developer must strictly comply with the payment procedure described above.

12. **Applicable Law; Resolution of Disputes.** This Tax Incentive Agreement shall be governed by and construed according to the laws of the State of Connecticut without reference to the principles thereof respecting conflicts of laws. The parties agree to the exclusive jurisdiction of the courts located in Fairfield County, Connecticut for the resolution of all disputes that may arise hereunder.

13. **Entire Agreement.** This Tax Incentive Agreement contains the entire agreement of the parties hereto with respect to the subject matter hereof, and any prior or contemporaneous oral or written agreements are hereby merged herein.

14. **Transfers.** This Tax Incentive Agreement is transferable upon the sale of the Property or the sale or transfer of a controlling interest in the Developer (collectively, “**Transfer of Control**”) under certain conditions set forth in the Tax Incentive Ordinance, as follows:

(a) Prior to a Transfer of Control, the then-current owner of the Property, including those who acquire a controlling interest in the then-current owner of the Property (“**Transferee**”), shall be required to give prior written notice to the City of the intent to make a Transfer of Control including a transfer of all of the original applicant’s obligations under this Tax Incentive Agreement (“**Obligations**”);

(b) Each Transferee shall demonstrate its ability to carry out the Obligations; and

(c) Each Transferee shall execute an assignment and assumption agreement of the Obligations with OPED, which document shall be recorded on the Bridgeport Land Records.

Except as otherwise specifically provided herein, a Transfer of Control without the City's prior written consent (which consent shall not be unreasonably withheld, conditioned or delayed and shall be given in the exercise of the City's commercial business judgment) shall constitute a Default under this Tax Incentive Agreement on and as of the date of such transfer and shall permit the City in its sole discretion to terminate this Tax Incentive Agreement. Notwithstanding anything to the contrary stated in this paragraph 14, a Transfer of Control (i) to an affiliate of the Developer, that is, to an entity that is controlled by under common control of the Developer ("**Affiliate**"), (ii) to an Affiliate of any subsequent Transferee approved in advance by the City, or (iii) to a mortgage lender exercising its remedies against Developer after a default under its loan documents, shall not constitute a Default under this Agreement or require the City's consent hereunder.

15. **No Discrimination.** Neither the Developer nor its successors and permitted assigns shall discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religion, creed, age, marital status, national origin, sex, sexual orientation, veteran's status, mental retardation or physical disability, in the sale, lease, rental, use or occupancy of the Property or the Project, or in its employment or contracting practices, shall not effect or execute any agreement, lease, conveyance, or other instrument having a discriminatory intention or effect, and shall comply with all federal, state and local laws prohibiting discrimination.

16. **MBE Compliance.** The Tax Incentive Ordinance establishes minimum requirements for the Developer's employment of minority contractors in connection with the Project. The City has established a Minority Business Enterprise Program Ordinance, Chapter 3.12.130 of the Code of Ordinances, attached hereto and made a part hereof as **Exhibit B ("MBE Ordinance")**. The Developer's good faith efforts to comply with the requirements and goals of the MBE Ordinance shall be deemed to be compliance with the MBE hiring requirements of the Tax Incentive Ordinance. The City's administrator of the Office of Small and Minority Business Enterprises, Mr. Fred Gee, or his designee ("**MBE Administrator**") (identified below) will administer and determine the Developer's compliance with the MBE Ordinance. The City shall apply and the Developer shall utilize all reasonable efforts in good faith to observe the MBE Ordinance in the following manner for construction contracts for the Project:

(a) All capitalized terms not otherwise defined in this paragraph 16 shall have the meanings ascribed to them in the MBE Ordinance.

(b) The City's mandatory requirement for construction contracts is established at six percent (6.0%) of the value of each construction contract ("**Mandatory Requirement**") for African-American subcontractors.

(c) The City's attainable goal for all construction contracts is established at an additional nine percent (9.0%), assuming the Mandatory Requirement is met, for MBE subcontractors ("**Attainable MBE Goal**") (15% total when combined with the percentage of the Mandatory Requirement achieved and, to the extent that the Mandatory Requirement is not achieved or is partially achieved, shall include 9% plus the amount of the Mandatory Requirement not achieved so that the entire 15% total MBE goal is achieved).

(d) The City's attainable goal for the Project is established at fifteen percent (15.0%) for WBE subcontractors ("**Attainable WBE Goal**").

(e) The Developer shall publish all bids on the City's electronic bidding website, [www.bidsync.com](http://www.bidsync.com).

(f) The Developer will place an advertisement in the Connecticut Post newspaper seeking an "open house" for MBE contractors.

(g) The Developer will cooperate and communicate with the City's MBE Administrator so that minority trade organizations and media outlets are aware of the subcontracting opportunities available to MBE subcontractors.

(h) The Developer will coordinate its bidding activities with the City's Small & Minority Business Resource Office, 999 Broad Street, 2nd Floor, Bridgeport, CT 06604.

(i) The Developer shall require every prime contractor to name its MBE subcontractors and the value of the contract to be awarded to each at the time that the prime contractor submits its bid. No substitutions of an MBE subcontractor shall thereafter be made without notice to the City, a demonstration of good cause shown, and receipt of the City's written consent in the exercise of its commercial business judgment (which consent shall not be unreasonably withheld, conditioned or delayed).

(j) The MBE Administrator will make all clarifications and determinations concerning compliance with the MBE Ordinance, and the

Developer may appeal such clarifications and determinations to the City's Chief Administrative Officer.

(k) In all other respects, the Developer shall adhere to the principles and practices of the MBE Ordinance and the Official Policies adopted by the City with respect to the administration thereof.

**17. Local Hiring Compliance.** The Bridgeport City Council adopted City Ordinance Ch. 3.29 – Employment Opportunities with Developers Fostering Economic Development (Item 136-17) on September 18, 2018, which requires that the Developer agrees to pursue in connection with the construction of the Project pursuant to the following provisions:

(a) The Developer agrees and warrants that during the development of this Project pursuant to the terms of this Tax Incentive Agreement, that first consideration of any additional employment of tradesmen/tradeswomen and/or any apprentices to be working on the Project will be given to qualified applicants who are residents of the city and/or who are ex-felons of any category to the maximum greatest extent that any increase in workforce or apprenticeships as a result of the Project meets the minimum requirements of twenty (20%) percent local resident hires and five (5%) percent ex-felon hires. The hiring or apprenticeship of an individual who is both a local resident and an ex-felon shall only count as either of one such hire. The Developer warrants and represents that it will not replace any of its current workforce as a result of this requirement.

(b) The Developer shall include the language set forth above in section (a) in every trades subcontract to the Project. The Developer shall post in conspicuous places, available to employees and applicants for employment, notices encouraging local residents and ex-felons to apply. The Developer will send to each labor union or other representative with which it has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the labor union or workers' representative of the developer's commitments under this division and shall post copies of such notice in conspicuous places available to employees and applicants for employment.

(c) The Developer will provide the office of contract compliance established under Municipal Code Sec. 3.12.130 with such information requested by said office concerning the employment pattern, practices and procedures of the

Developer as relate to the provisions of subsections (a) and (b) of this section and any rules and regulations and/or orders issued pursuant thereto.

(d) Prior to seeking a building permit for the Project, Developer shall meet with the office of contract compliance with paperwork sufficient to establish Developer's satisfaction of this requirement or documentation sufficient to the office of contract compliance for said office to issue a waiver of this requirement for good cause shown.

18. **Excusable Delay.** The parties hereto, respectively, shall not be in default of their respective obligations under this Tax Incentive Agreement if either is unable to fulfill, or is delayed in fulfilling, any of its obligations hereunder, or is prevented or delayed from fulfilling its obligations, in spite of its employment of reasonable best efforts and due diligence, as a result of natural disasters, catastrophic events, casualties to persons or properties, war, governmental preemption in a national emergency, enactment of a law, rule or regulation or a change in existing laws, rules or regulations that prevents any party's ability to perform its respective obligations hereunder, or actions by other persons beyond the exclusive control of the party claiming hindrance or delay. If a party believes that a hindrance or delay has occurred, it shall give prompt written notice to the other party of the nature of such hindrance or delay, its effect upon such party's performance under this Tax Incentive Agreement, the action needed to avoid the continuation of such hindrance or delay, and the adverse effects that such hindrance or delay then has or may have in the future on such party's performance. Notwithstanding notification of a claim of hindrance or delay by one party, such request shall not affect, impair or excuse the other party hereto from the performance of its obligations hereunder unless its performance is impossible, impractical or unduly burdensome or expensive, or cannot effectively be accomplished without the cooperation of the party claiming delay or hindrance. The occurrence of such a hindrance or delay may constitute a change in the obligations of the parties and may result in the need to modify the agreement accordingly.

19. **Cessation of Operations.** Upon the Developer's ceasing construction of the Project for a period of six (6) months or longer or commercial operation of any Project component for six (6) months or longer, the City shall give written notice to the Developer and if the Developer does not sufficiently explain and verify to the City, with applicable documentation deemed reasonable by the City, within thirty (30) days after delivery of such notice, why it believes that it has not stopped development of the

Project or why it believes that it has not ceased commercial operation as determined by the City in the exercise of its commercial business judgment, the City shall have the right to deem that a Default has occurred, shall give written notice that this Tax Incentive Agreement has been terminated, whereupon this Tax Incentive Agreement shall come to an end thirty (30) days thereafter ("**Termination Date**"), whereupon the parties shall have no further obligations to one another except for those obligations specifically stated to survive early termination. For purposes of this Section 19, "commercial operation" shall include, with respect to the commercial space, any active efforts to market, lease maintain and otherwise operate the property using commercially reasonable efforts.

NEXT PAGE IS THE SIGNATURE PAGE



IN WITNESS THEREOF, the parties have executed this agreement this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

In the presence of:

**CITY OF BRIDGEPORT**

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_  
duly-authorized

STATE OF CONNECTICUT)

) ss. Bridgeport \_\_\_\_\_, 2020

COUNTY OF FAIRFIELD )

Personally appeared \_\_\_\_\_, \_\_\_\_\_ of Bridgeport, signer and sealer of the foregoing instrument, and acknowledged the same to be his/her free act and deed in such capacity and the free act and deed of the City of Bridgeport before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
Commission Expires:

**DEVELOPER**

In presence of:

WINDWARD DEVELOPMENT  
ASSOCIATES, LLC  
By: Windward Associates GP, LLC, its  
managing member

By: JHM Bridgeport Community  
Renewal, LLC, its co-managing  
Member

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Name:  
Its:

By: JHM Bridgeport Community  
Renewal, LLC, its co-managing  
Member

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Name:  
Its:

STATE OF CONNECTICUT )

) ss.

\_\_\_\_\_, 2020

COUNTY OF FAIRFIELD )

Personally appeared \_\_\_\_\_, \_\_\_\_\_ of  
\_\_\_\_\_, signer and sealer of the foregoing instrument, and  
acknowledged the same to be his/her free act and deed in such capacity and the free  
act and deed of \_\_\_\_\_, before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My commission expires on:

STATE OF CONNECTICUT )

) ss.

\_\_\_\_\_, 2020

COUNTY OF FAIRFIELD )

Personally appeared \_\_\_\_\_, \_\_\_\_\_ of \_\_\_\_\_, signer and sealer of the foregoing instrument, and acknowledged the same to be his/her free act and deed in such capacity and the free act and deed of \_\_\_\_\_, before me.

\_\_\_\_\_  
Commissioner of the Superior Court  
Notary Public  
My commission expires on:

**SCHEDULE A**

**LEGAL DESCRIPTION OF DEVELOPMENT PROPERTY**

## EXHIBIT A

### Schedule of Installments

**NOTE: The following installments include a three (3.0%) percent annual increment compounded over the prior year's taxes.**

Years	Status	Years Payable	Taxes	Payment Date
Year 0	Construction	0	0	N/A
Year 0	Construction	0	0	N/A
Year 1	Occupancy	1	\$90,000	July 1, 2022 and January 1, 2023
Year 2	Occupancy	1	\$92,700	July 1, 2023 and January 1, 2024
Year 3	Occupancy	1	\$95,481	July 1, 2024 and January 1, 2025
Year 4	Occupancy	1	\$98,346	July 1, 2025 and January 1, 2026
Year 5	Occupancy	1	\$101,296	July 1, 2026 and January 1, 2027
Year 6	Occupancy	1	\$104,335	July 1, 2027 and January 1, 2028
Year 7	Occupancy	1	\$107,465	July 1, 2028 and January 1, 2029
Year 8	Occupancy	1	\$110,689	July 1, 2029 and January 1, 2030
Year 9	Occupancy	1	\$114,010	July 1, 2030 and January 1, 2031
Year 10	Occupancy	1	\$117,430	July 1, 2031 and January 1, 2032
Year 11	Occupancy	1	\$120,953	July 1, 2032 and January 1, 2033
Year 12	Occupancy	1	\$124,581	July 1, 2033 and January 1, 2034
Year 13	Occupancy	1	\$128,319	July 1, 2034 and January 1, 2035
Year 14	Occupancy	1	\$132,168	July 1, 2035 and January 1, 2036
Year 15	Occupancy	1	\$136,133	July 1, 2036 and January 1, 2037
		15	\$1,673,906	

ABSENT EARLIER TERMINATION OF THIS TAX INCENTIVE AGREEMENT, FULL PAYMENT OF ALL REGULARLY ASSESSED REAL PROPERTY TAXES BECOME DUE AND OWING DURING THE GRAND LIST YEAR FOLLOWING THE EXPIRATION OR EARLIER TERMINATION OF THE TAX INCENTIVE PURSUANT TO THE TERMS OF THIS AGREEMENT.

**EXHIBIT B**

**Small and Minority Business Enterprise Program Ordinance  
And Local Hiring Program Ordinance**

Project Yr	Current	Dev Add	OPED Inctv	Diff OPED-Dev	Presumed Full Tax	Diff Inctv-Pres
Permit Fee		449,280	449,280	\$ -	449,280	\$ -
Op Yr 1	0	54,000	90,000	\$ 36,000	178,486	\$ (88,486)
Op Yr 2	0	55,620	92,700	\$ 37,080	178,486	\$ (85,786)
Op Yr 3	0	57,289	95,481	\$ 38,193	178,486	\$ (83,005)
Op Yr 4	0	59,007	98,346	\$ 39,338	178,486	\$ (80,140)
Op Yr 5	0	60,777	101,296	\$ 40,519	178,486	\$ (77,190)
Op Yr 6	0	62,601	104,335	\$ 41,734	178,486	\$ (74,151)
Op Yr 7	0	64,479	107,465	\$ 42,986	178,486	\$ (71,021)
Op Yr 8	0	66,413	110,689	\$ 44,276	178,486	\$ (67,797)
Op Yr 9	0	68,406	114,010	\$ 45,604	178,486	\$ (64,476)
Op Yr 10	0	70,458	117,430	\$ 46,972	178,486	\$ (61,056)
Op Yr 11	0	72,571	120,953	\$ 48,381	178,486	\$ (57,533)
Op Yr 12	0	74,749	124,581	\$ 49,833	178,486	\$ (53,905)
Op Yr 13	0	76,991	128,319	\$ 51,328	178,486	\$ (50,167)
Op Yr 14	0	79,301	132,168	\$ 52,867	178,486	\$ (46,318)
Op Yr 15	0	81,680	136,133	\$ 54,454	178,486	\$ (42,353)
<b>TOTALS</b>	<b>\$ -</b>	<b>\$ 1,453,621</b>	<b>\$ 2,123,186</b>	<b>\$ 669,564</b>	<b>\$ 3,126,570</b>	<b>\$ (1,003,385)</b>

Windward Commons- Mixed Income with Marina Public Housing Replacement	
# units	54
\$/unit initial base tax per incentive	\$ 1,657
\$/unit tax presumed full	\$ 3,305
escalation rate of incentive tax	1.03
escalation rate of full tax	1
Total Project Cost	\$ 27,696,884
Est Total Hard Cost	\$ 18,720,000
Est Work Covered by Building Permit	80%
Est Building Permit Fee to City at \$30/\$1000	\$ 14,976,000
Est Impact on Assessed Value is from	\$ 449,280
Total Square Footage	75,529
Total Retail Square Footage	7,177
Total Residential Square Footage	68,352
City Capital Contribution to Construction	\$ -

Presumed Full Tax Calculation - Crescent Crossings 1A as Comparable	
C Crossings 1A # units	93
Assessed Value 2019 Land	0
Assessed Value 2019 Improvements	\$ 5,693,510
Presumed Mill Rate	53.99
Presumed Full Tax Total	\$ 307,393
Presumed Full Tax Per Unit	\$ 3,305



## Ortiz, Frances

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**From:** Coleman, William  
**Sent:** Wednesday, May 13, 2020 4:16 PM  
**To:** Ortiz, Frances  
**Cc:** Pacacha, Ronald; Gill, Thomas; Gaudett, Thomas; Anastasi, Mark T  
**Subject:** CORRECTED - City Council Submittal - Windward Commons Affordable Housing Development Incentive Agreement  
**Attachments:** OPED\_Submittal\_Cover\_Resolution\_Attachment\_A\_Windward\_Commons\_Affordable\_Housing\_Tax\_Incentive\_Development\_Agreement\_5.11.20.doc;  
Attachment\_B\_Affordable\_Housing\_Development\_Incentive\_Analysis\_Windward\_Commons\_5-10-2020.pdf  
**Importance:** High

Hi Again Frances: This is corrected, good to go. Again, please ignore my previous email on this matter, as it contained an error.

Attached please find OPED's submittal of a resolution that would authorize an affordable housing tax incentive development agreement in support of the \$27MM Windward Commons Development Project at Park Avenue and Railroad Avenue. This project includes 54 units of mixed income affordable housing and includes a new facility for Southwest Community Health Center. There is no need for a public hearing for this item. As it has been the Council's recent practice to refer such agreements to a joint ECDE/Contracts Committee, that is the referral we've indicated. We would ask that the joint committee be convened at a time sufficient to allow for a final full Council vote by Monday June 1. Attached you will find:

- 1)The Cover Letter, the Resolution, and Attachment A to the Resolution (which is the Agreement itself) – All in WORD form
- 2)Attachment B to the Resolution, which is a Analysis of the Agreement - in PDF Form.

Thank you.

*Bill Coleman*

Deputy Director  
Office of Planning & Economic Development  
City of Bridgeport  
[William.coleman@bridgeportct.gov](mailto:William.coleman@bridgeportct.gov)  
Cell: (203)-275-6416  
<https://www.planbridgeport.com/>  
<https://zonebridgeport.com/>  
<https://www.bridgeportct.gov/oped>

Office of Planning and Economic Development  
999 Broad Street  
Bridgeport CT 06604

May 18, 2020  
Honorable City Clerk  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Request to Withdraw Item # 100-19  
Affordable Housing Tax Incentive Development Agreement – Windward Commons**

Dear City Clerk and Honorable Members of the City Council:

OPED hereby requests that Item #100-19 be withdrawn.

Truly yours,

***Bill Coleman***

Bill Coleman  
Deputy Director

C: Thomas Gill, Director  
Mark Anastasi, Esq., Associate City Attorney  
Ron Pacacha, Esq., of Counsel to the City Attorney's Office  
Thomas Gaudett, Office Mayor Ganim

**Comm.# 101-19 Referred to ECD & Environment Committee on 05/18/2020.**

Office of Planning and Economic Development  
999 Broad Street  
Bridgeport CT 06604

May 13, 2020

City Clerk  
45 Lyon Terrace  
Bridgeport CT 06604

**Re: Resolution Regarding Authority to Enter Into an Environmental Land Use Restriction (“ELUR”) Regarding the Family Dollar Store Property, 1197 State Street**

Dear City Clerk and Honorable Members of the City Council:

For your consideration, the attached resolution seeks authority to enter into an Environmental Land Use Restriction concerning environmental contamination that has been isolated 4’ below the surface in accordance with a Remedial Action Plan that was approved by the Connecticut Department of Energy and Environmental Protection (“DEEP”). After approval by DEEP, this ELUR will be recorded in the land records and will govern any future disturbance of the soil at that location.

This item is for referral to the ECDE Committee, which we respectfully request be convened by a date that would allow for a final vote at the full Council meeting of June 1<sup>st</sup>.

Truly yours,

**Bill Coleman**

Bill Coleman  
Deputy Director

C: Thomas Gill, Director  
Mark Anastasi, Esq., Associate City Attorney  
Ron Pacacha, Esq., of Counsel to the City Attorney’s Office  
Thomas Gaudett, Office Mayor Ganim

**A Resolution Authorizing  
Entry into an Environmental Land Use Restriction  
Regarding Family Dollar Store  
1197 State Street**

**WHEREAS** the City acquired title to several lots known as the former "Barn Property" at 1191 – 1197 State Street (the "**Property**") by Committee Deed dated October 30, 1993 (copy attached) that resulted from a tax foreclosure proceeding;

**WHEREAS** the City Council subsequently approved on October 20, 2003 (Item No. 252-02) (copy attached) the transfer of the Property to the West End Community Development Corporation ("**WECDC**") for the development of a 10,000 sq. ft. retail space that is now the location of a Family Dollar Store;

**WHEREAS** the construction of the Project required that certain environmentally contaminated soils be removed pursuant to State law from the Property while other contaminated soils were required to be isolated four (4) feet below the surface with subsequent ground water testing to be completed for several years;

**WHEREAS** the remediation of the Property has now been completed and the last step in legal compliance is the recording in the Bridgeport land records of a Declaration of Environmental Land Use Restriction (the "**ELUR**") that will govern any future disturbance of the soil on the Project Site by any party; and

**WHEREAS** in order to record the ELUR, DEEP requires that the City authorize such filing.

The above recitals are incorporated into the body of this resolution.

**NOW THEREFORE BE IT RESOLVED** that the Director of the Office of Planning and Economic Development is authorized to file an application for an ELUR, to execute such ELUR, and is authorized to execute any related documents or take such other necessary actions in furtherance of and consistent with this resolution in the best interests of the City.

023285

BK3487PG196

NO. CV 94 0312202S

SUPERIOR COURT

CITY OF BRIDGEPORT

J.D. OF FAIRFIELD

V.

AT BRIDGEPORT

B & G MANUFACTURING, INC.  
ET AL.

October 30, 1995

COMMITTEE DEED

WHEREAS, by a Judgment of Foreclosure by Sale rendered on August 14, 1995, by the Superior Court for the Judicial District of Fairfield at Bridgeport in a civil action pending being Docket # CV 94 0312202S, wherein the City of Bridgeport is the Plaintiff and wherein B & G Manufacturing Company, Inc., CJR Realty Company, Orlando Ruiz DBA M&C Grocery Store and Lawrence Imerito DBA Lex Auto Body are Defendants, brought by Complaint return dated April 26, 1994, claiming foreclosure of tax liens on premises known as 1191-1197 State Street, in the Town of Bridgeport, County of Fairfield and State of Connecticut, and Daniel H. Kryzanski, of the Town of Stratford, County of Fairfield and State of Connecticut, was duly appointed Committee, and directed to sell said premises and convey same to Purchaser, and

WHEREAS, Daniel H. Kryzanski, as Committee, has sold said premises in all respects pursuant to said Judgment to the City of Bridgeport in the County of Fairfield and State of Connecticut, for the sum of Fourty Five Thousand Dollars (\$45,000.00), and WHEREAS, said sale has been ratified and confirmed by the Superior Court, which appears in the file on record in said Superior Court, to which reference is hereby made.

CITY OF BRIDGEPORT  
 CONVEYANCE TAX RECEIPT  
 STATE OF CONNECTICUT

NOW KNOW YE, THAT, I, Daniel H. Kryzanski, of the Town of Stratford, County of Fairfield and State of Connecticut, in pursuance of the authority and direction given me as aforesaid, and in consideration of the sum aforesaid received to my full satisfaction of said City of Bridgeport, do hereby bargain, sell, transfer, and convey unto the said City of Bridgeport, and unto its successors and assigns forever, such land and buildings aforesaid, more particularly bounded and described as follows:

All that certain piece, parcel or tract of land, together with all the buildings and improvements thereon standing, situated in the City of Bridgeport, County of Fairfield, and State of Connecticut, bounded and described as follows:

- NORTHERLY: On State Street, 63 feet;
- EASTERLY: On land now or formerly of Dorothy Bray, et al, 132 feet, more or less;
- NORTHERLY AGAIN: On land now or formerly of Dorothy Bray, et al, 37 feet;
- EASTERLY AGAIN: On land now or formerly of George Cashavelly, et al, 48 feet;
- SOUTHERLY: On land now or formerly of Goldie V. Pierson, 100 feet;
- WESTERLY: On Clinton Avenue, 161 feet, more or less;

Known as 1191-1197 State Street.

Subject to:

Zoning and building regulations and any and all provisions of any ordinance, governmental regulation or public or private law.

To have and to hold the above granted and bargained premises, with appurtenances thereon, unto the said Grantee, it's successors and assigns forever, to it and its proper use and behoof.

And also, I, the said Daniel H. Kryzanski, as above stated, do hereby covenant with the said Grantee, and it's successors and assigns, that I have full power and authority as a Committee aforesaid to grant and convey the above described premises in manner and form aforesaid.

Said premises are conveyed to the Grantee herein free and clear of the taxes being foreclosed, and of all claims subsequent in right thereto, the holders of which are bound by this action.

Said premises are conveyed further subject to building, building line and zoning regulations of the City of Bridgeport, all easements and restrictions of record, and any and all provisions of any public or private law.

BK 3487PG 199

IN WITNESS WHEREOF, I have hereunto set my hand and seal,  
subject to the approval of the Superior Court this 30 day of  
~~OCTOBER~~, 1995.

E. Terry Durant  
Witness

Daniel H. Kryzanski  
Daniel H. Kryzanski, Committee

Blaine Brown  
Witness

STATE OF CONNECTICUT )  
                                  ) ss. Bridgeport,                   October 30, 1995  
COUNTY OF FAIRFIELD )

Personally appeared, Daniel H. Kryzanski, Committee who  
acknowledged the foregoing to be his free act and deed before me  
this date.

E. Terry Durant  
Notary/Com. Sup. Ct. E. TERRY DURANT

The foregoing Committee Deed is approved this 9<sup>th</sup> day of  
November 1995.

John W. Moran  
Judge  
Hon JOHN W. Moran

BRIDGEPORT, CONN.  
LAND RECORDS  
REC'D FOR RECORD FILING  
ON 11-21-95 AT 3:00 PM  
ATTEST: Hector Diaz  
HECTOR DIAZ, TOWN CLERK





*City of Bridgeport, Connecticut*  
**OFFICE OF THE CITY CLERK**  
*LEGISLATIVE DEPARTMENT*

45 Lyon Terrace • Bridgeport, Connecticut 06604 • Telephone (203) 576-7081 • Fax (203) 332-5608

LYDIAN, MARTINEZ  
City Clerk

FRANCES ORTIZ  
Assistant City Clerk

May 6, 2020

**CERTIFICATION**

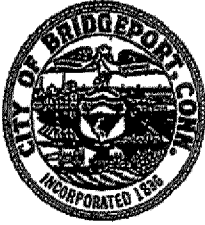
I, Frances Ortiz, the duly appointed assistant city clerk of the City Council of Bridgeport and keeper of the minutes of the meetings of said City Council, do hereby certify that the appended resolution was duly adopted by said City Council at a regular meeting held on the 20<sup>th</sup> day of October, 2008; said resolution has been duly recorded in the minutes of said meeting; and that said resolution has not been amended, rescinded or altered, in any manner, and is still in full force and effect.

*Attachment Item #252-02 totaling four pages (4) pages.  
Each page appended hereto shall exhibit the raised embossed seal of the City of Bridgeport.*

ATTEST:

  
\_\_\_\_\_  
Frances Ortiz  
Assistant City Clerk

FO: aw



# City of Bridgeport, Connecticut

*To the City Council of the City of Bridgeport.*

The Committee on ECD and Environment begs leave to report; and recommends for adoption the following resolution:

\*252-02 Consent Calendar

**A Resolution by the Bridgeport City Council Regarding the Disposition of Real Property within the West End Municipal Project Area**

**WHEREAS**, The West End Community Development Corporation (WECDC) was formed to promote investment and revitalization in the City's West End neighborhood; and

**WHEREAS**, it is in the best interests of the City of Bridgeport to support the efforts of neighborhoods based organizations like the WECDC; and

**WHEREAS**, the City, through the West End Municipal Development Plan, has acquired a number of properties on State Street; and

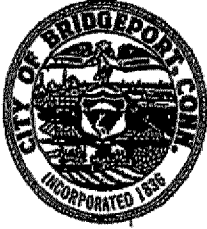
**WHEREAS**, it may be in the best interests of the West End neighborhood and the City of Bridgeport for the WECDC to pursue commercial development projects on these State Street properties, either by itself or in partnership with private developers; and

**WHEREAS**, the City owns four contiguous parcels located at 1197, 1185, 1179 and 1163 State Street (the Property), acquired through the West End Municipal Development Plan; and

**WHEREAS**, the WECDC has marketed the Property through a request for proposals process, and identified a capable developer with a redevelopment plan for the Property; and

**WHEREAS**, the WECDC will assume an ongoing role in ensuring that the development that occurs on the Property is desirable and appropriate in light of the planned West Side School; and Now therefore be it

**RESOLVED**, That the Director of the Office of Planning and Economic Development is authorized to transfer the Property to the West End Community Development Corporation in a manner consistent with the attached proposal.



Report of Committee on ECD and Environment

-2-

\*252-02 Consent Calendar

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
ECONOMIC AND COMMUNITY DEVELOPMENT & ENVIRONMENT

\_\_\_\_\_  
James C. McGinnis

\_\_\_\_\_  
Richard M. Paoletto, Jr.

\_\_\_\_\_  
Thomas J. Freer

\_\_\_\_\_  
Lisa Parziale

\_\_\_\_\_  
Edwin A. Gomes

\_\_\_\_\_  
Rafael A. Mojica

\_\_\_\_\_  
Marilyn J. Santacroce

# WEST END COMMUNITY DEVELOPMENT CORPORATION



A PARTNERSHIP OF COMMUNITY ORGANIZATIONS, BUSINESSES AND RESIDENTS

JAMES A. CARBONE  
Chairman

1354 State Street  
Bridgeport, Connecticut 06605  
(203) 336-5939  
Fax (203) 367-2600

TITO S. MOLINA  
President/Executive Director

September 23, 2003

Director  
Office of Planning and Economic Development  
City of Bridgeport  
999 Broad Street  
Bridgeport, CT 06604

***Re: Proposal to Acquire City-Owned Property on State Street Know as Block 1151,  
Lots 1,49,50,51***

## **Background**

Since 1994, the West End Community Development Corporation (WECDC) has been diligently working to revitalize portion of the West End community of Bridgeport. In conjunction with Bridgeport's Office of Planning and Economic Development (OPED), the WECDC has successfully executed a series of Municipal Development Plans. The primary objective of these economic development initiatives have been targeted at maintaining and restoring the City's job and tax base. In the process, many private investments have occurred and new industries have been developed along with new facilities that add to the City's economic base.

## **Purpose**

In keeping with our mutual objective of revitalizing our community, and by virtue of an agreement with the City of Bridgeport's OPED the WECDC has taken an active role in the development of the State Street properties. The WECDC has issued a request for development (RFP) intended to draw interest in a property that has been in a dormant stage without generating any tax revenue or jobs to the City of Bridgeport. The RFP has been drafted and publicly advertised seeking commercial development proposals for the subject site. The proposals were evaluated against set criteria that included: the economic impact of each proposal; design features and suitability with adjacent property users that include an existing school and a new elementary school scheduled to be completed in 2004. Our efforts resulted in the submission of two development proposals. This process has resulted in identifying a developer willing and capable of constructing a 10,000 square foot retail facility that meets our intended objectives.

## **Objective**

Although the WECDC has succeeded in its objectives of improving the economic conditions of the West End, additional development plans and opportunities are needed to establish sustainable growth. Increasing the City's employment capacity and its tax base

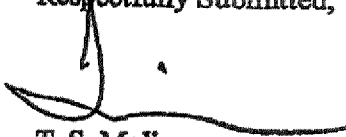
is an evolutionary process that requires short and long term strategies. As an active participant of the economic revitalization of the West End, the WECDC is ideally positioned to manage and oversee neighborhood developments. As such, we are proposing to acquire the subject property and enter into a long term agreement with the designated developer.

Specifically, in keeping with our verbal agreements with your office, we are respectfully requesting to have the subject properties be quit claimed to the WECDC. In return, the WECDC has agreed to pay the approximate \$25,000 in real estate taxes due to the City of Bridgeport prior to the properties' foreclosures and continue to take a pro-active role in the selection of a developer as well as monitoring the construction and long term management of the chosen development.

We believe that our proposal addresses a need for a process that engages Bridgeport's neighborhoods in the selection process, which results in identifying compatible and suitable developments and also ensures that the developments remain sincere to accomplishing their initial objectives over a long period time. We thank you for your support in continuing a process that has proven itself to be an effective strategy for neighborhood development.

We appreciate the public trust that has been granted and we continue to commit ourselves to delivering a revitalized community that addresses the quality of life issues and concerns of its residents. We have been diligent in sharing our concept and development ideas with our respective district councilmen. This transaction requires council approval and we are more than willing to make ourselves available to you and any common council members concerns. Please feel free to call upon us in the event you need any additional information or wish us to attend any meetings that might facilitate the transaction.

Respectfully Submitted,



T. S. Molina  
President/Executive Director

## Ortiz, Frances

---

**From:** Coleman, William  
**Sent:** Wednesday, May 13, 2020 3:33 PM  
**To:** Ortiz, Frances  
**Cc:** Gill, Thomas; Pacacha, Ronald; Gaudett, Thomas; Anastasi, Mark T  
**Subject:** City Council Submittal Re: 1197 State Street, Bridgeport ELUR  
**Attachments:** OPED--1197 State ELUR--Resolution to Council--May 12 20 (RJP).docx; OPED--1197 State ELUR--Resolution Exhibits--May 12 20 20200512\_10490032.pdf

**Importance:** High

Hello Frances:

Attached please find OPED's submittal of a resolution that would authorize the Office of Planning and Economic Development ("OPED") to execute and file an *Environmental Land Use Restriction* ("ELUR") on a property known commonly known as 1197 State Street. The item does not require a public hearing. It is for referral to ECDE. We would ask that the ECDE committee be convened at a time sufficient to allow for a final full Council vote by Monday June 1. Attached you will find:

- 1)The Cover Letter, the Resolution - in WORD form
- 2)Attachments to the Resolution, including a copy of related City Council Item #252-02 - in PDF Form.

Thank you.

*Bill Coleman*

Deputy Director  
Office of Planning & Economic Development  
City of Bridgeport  
[William.coleman@bridgeportct.gov](mailto:William.coleman@bridgeportct.gov)  
Cell: (203)-275-6416  
<https://www.planbridgeport.com/>  
<https://zonebridgeport.com/>  
<https://www.bridgeportct.gov/oped>

Comm.# 102-19 Referred to Miscellaneous Matters Committee on 05/18/2020.

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY  
999 Broad Street  
Bridgeport, CT 06604-4328

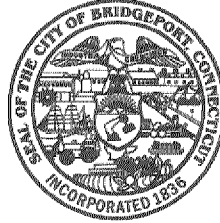
CITY ATTORNEY  
R. Christopher Meyer

DEPUTY CITY ATTORNEY  
John P. Bohannon, Jr.

ASSOCIATE CITY ATTORNEYS  
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Lawrence A. Ouellette, Jr.  
Tyisha S. Toms  
Lisa R. Trachtenburg

ASSISTANT CITY ATTORNEYS  
Dina A. Scalo  
Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203)576-8252



May 13, 2020

Honorable City Council  
of the City of Bridgeport  
City Hall  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Proposed Worker's Compensation Stipulation with Jose Negron**

Dear Honorable Council Members:

On behalf of Attorney Christine Yeomans (Workers' Compensation outside legal counsel) I respectfully request that the above-referenced matter be placed on the City Council Agenda for the May 18, 2020 **FOR REFERRAL to the COMMITTEE MISCELLANEOUS MATTERS.**

An executive summary for this matter will be submitted prior to the May 18<sup>th</sup> meeting; and Attorney Yeomans will attend the committee meeting to present this matter.

Very truly yours,

*Mark T. Anastasi /s/*

Mark T. Anastasi, Esq.

Cc: Joseph P. Ganim, Mayor  
Lydia Martinez, City Clerk  
Frances Ortiz, Asst. City Clerk  
Janene Hawkins, CAO  
Daniel Shamas, Chief of Staff  
Thomas Gaudett, Mayoral Aide for Operations  
Eric Amado, Labor Relations Dir.  
R. Christopher Meyer, City Attorney  
Christine Yeomans, Jr., Esq.

## Ortiz, Frances

---

**From:** Anastasi, Mark T  
**Sent:** Wednesday, May 13, 2020 4:22 PM  
**To:** Ortiz, Frances; Martinez, Lydia  
**Cc:** Gaudett, Thomas; Meyer, RChristopher; Joseph Passaretti; 'Christine Yeomans'  
**Subject:** 2 Matters to be included on the May 18th City Council Meeting for Referral to Misc. Matters Committee  
**Attachments:** Letterhead - Jose Negron WC Stipulation City Council Referral Letter.docx; John Evans Workers' Compensation Referral Letter.docx

Attached are 2 referral letters for proposed WC Stipulations - John Evans and Jose Negron. Executive Summaries for these matters will be submitted prior to the May 18th meeting.

Thanks.

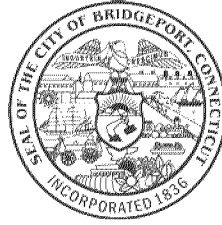


CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY  
999 Broad Street  
Bridgeport, CT 06604-4328

CITY ATTORNEY  
R. Christopher Meyer

DEPUTY CITY ATTORNEY  
John P. Bohannon, Jr.

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Lisa R. Trachtenburg



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Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203) 576-8252

**Executive Summary**

**Re: Resolution No. 102-19 Proposed Worker's Compensation Stipulation with Jose Negron For Referral to Misc. Matters Committee**

To: Honorable City Council  
Fr: Mark T. Anastasi, Esq.  
Cc: Joseph P. Ganim, Mayor  
Janene Hawkins, CAO  
Daniel Shamas, Chief of Staff  
Eric Amado, Labor Relations Dir.  
David Dunn, Civil Service Personnel Dir.  
R. Christopher Meyer, City Attorney  
Thomas Gaudett, Mayor's Office  
Christine M. Yeomans, Esq.

Dated: May 18, 2020

**BELOW is the submission data required pursuant to City Council Rule XIII, Section 15:**

**a. Submission Title**

Proposed Worker's Compensation Stipulation with Jose Negron

**b. Submitting Entity**

Office of the City Attorney - on behalf of outside legal counsel, Law Office of Christine M. Yeomans, LLC

**c. Contact Person**

Mark T. Anastasi, Esq.  
Contact via cellphone: (203) 673-7218; text or email: [Mark.Anastasi@bridgeportct.gov](mailto:Mark.Anastasi@bridgeportct.gov)

**d. Deadline for Approval & Basis for Same**

Deadline – June 15, 2020. Prompt approval is required due to order / schedule for new indemnity payments

**e. Matter Summary**

This contested workers' compensation case involves multiple alleged personal injuries claimed by Mr. Jose Negron (retired City employee) to have been sustained on the job with the Bridgeport Parks & Recreation Department during the period from 9/18/96 through 8/22/16.

**f. City Council Action Requested**

At the May 18, 2020 Meeting – Referral of matter to the Committee on Miscellaneous Matters.

At the June 1, 2020 or the June 15, 2020 Meeting – City Council resolution authorizing and approving settlement of this legal matter for the dollar amount requested herein (total of \$200,000).

**g. Financial Impact Analysis**

In the event this matter is approved, the City will become obligated to pay \$200,000 to Attorney Laura Mooney of Milford, CT on behalf of the claimant Jose Negron.

**h. Funding Budget-Line**

The settlement payment will be made by PMA, the City's third-party worker's compensation administrator, with City funds appropriated in the annual operating budget.

**i. Proposed Motion**

**“NOW THEREFORE BE IT RESOLVED** that the proposed Workers' Compensation Stipulation between the City and Claimant Jose Negron, and a Full and Final Settlement payment of \$200,000 to Mr. Jose Negron is hereby authorized and approved.

**Comm.# 103-19 Referred to Miscellaneous Matters Committee on 05/18/2020.**

May 13, 2020

Honorable City Council  
of the City of Bridgeport  
City Hall  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Proposed Worker's Compensation Stipulation with John M. Evans**

Dear Honorable Council Members:

On behalf of Attorney Joseph Passaretti of the firm of Monstream & May (Workers' Compensation outside legal counsel) I respectfully request that the above-referenced matter be placed on the City Council Agenda for the May 18, 2020 **FOR REFERRAL to the COMMITTEE MISCELLANEOUS MATTERS.**

An executive summary for this matter will be submitted prior to the May 18<sup>th</sup> meeting; and Attorney Passaretti will attend the committee meeting to present this matter.

Very truly yours,

*Mark T. Anastasi /s/*

Mark T. Anastasi, Esq.

Cc: Joseph P. Ganim, Mayor  
Lydia Martinez, City Clerk  
Frances Ortiz, Asst. City Clerk  
Janene Hawkins, CAO  
Daniel Shamas, Chief of Staff  
Thomas Gaudett, Mayoral Aide for Operations  
Eric Amado, Labor Relations Dir.  
R. Christopher Meyer, City Attorney  
Joseph J. Passaretti, Jr., Esq., Monstream & May

## Ortiz, Frances

---

**From:** Anastasi, Mark T  
**Sent:** Wednesday, May 13, 2020 4:22 PM  
**To:** Ortiz, Frances; Martinez, Lydia  
**Cc:** Gaudett, Thomas; Meyer, RChristopher; Joseph Passaretti; 'Christine Yeomans'  
**Subject:** 2 Matters to be included on the May 18th City Council Meeting for Referral to Misc. Matters Committee  
**Attachments:** Letterhead - Jose Negrón WC Stipulation City Council Referral Letter.docx; John Evans Workers' Compensation Referral Letter.docx

Attached are 2 referral letters for proposed WC Stipulations - John Evans and Jose Negrón. Executive Summaries for these matters will be submitted prior to the May 18th meeting.

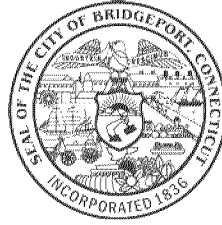
Thanks.

CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY  
999 Broad Street  
Bridgeport, CT 06604-4328

CITY ATTORNEY  
R. Christopher Meyer

DEPUTY CITY ATTORNEY  
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ASSISTANT CITY ATTORNEYS  
Dina A. Scalo  
Eroll V. Skyers

Telephone (203) 576-7647  
Facsimile (203) 576-8252

**Executive Summary**

**Re: Resolution No. 103-19 Proposed Worker's Compensation Stipulation with John M. Evans For Referral to Misc. Matters Committee**

To: Honorable City Council  
Fr: Mark T. Anastasi, Esq.  
Cc: Joseph P. Ganim, Mayor  
Janene Hawkins, CAO  
Daniel Shamas, Chief of Staff  
Eric Amado, Labor Relations Dir.  
David Dunn, Civil Service Personnel Dir.  
R. Christopher Meyer, City Attorney  
Thomas Gaudett, Mayor's Office  
Joseph J. Passaretti, Jr., Esq.

Dated: May 18, 2020

**BELOW is the submission data required pursuant to City Council Rule XIII, Section 15:**

**a. Submission Title**

Proposed Worker's Compensation Stipulation with John M. Evans

**b. Submitting Entity**

Office of the City Attorney - on behalf of outside legal counsel, Law Office of Monstream Law Group, LLP

**c. Contact Person**

Mark T. Anastasi, Esq.  
Contact via cellphone: (203) 673-7218; text or email: [Mark.Anastasi@bridgeportct.gov](mailto:Mark.Anastasi@bridgeportct.gov)

**d. Deadline for Approval & Basis for Same**

Deadline – June 15, 2020. Prompt approval is required to comply with hearing schedule orders.

**e. Matter Summary**

This is a September 22, 2016 D/I contested claim for C.G.S. §7-433c Heart and Hypertension Benefits.

**f. City Council Action Requested**

At the May 18, 2020 Meeting – Referral of matter to the Committee on Miscellaneous Matters.

At the June 1, 2020 or the June 15, 2020 Meeting – City Council resolution authorizing and approving settlement of this legal matter for the dollar amount requested herein (total of \$70,000 over 3 fiscal years, FY '20, '21 and '22).

**g. Financial Impact Analysis**

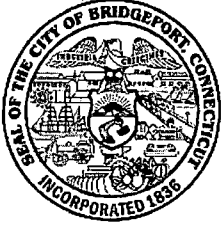
In the event this matter is approved, the City will become obligated to pay \$70,000 to Attorney Jon A. August of Bridgeport, CT on behalf of the claimant John M. Evans with \$20,000 due within 20 days of final settlement (FY '20); \$15,000 within 20 days of July 1, 2020 (FY '21) and \$35,000 within 20 days of July 1, 2021 (FY '22) .

**h. Funding Budget-Line**

The settlement payment will be made by PMA, the City's third-party worker's compensation administrator, with City funds appropriated in the annual operating budget.

**i. Proposed Motion**

**“NOW THEREFORE BE IT RESOLVED** that the proposed Workers' Compensation Stipulation between the City and Claimant John M. Evans, and a Full and Final Settlement payment of \$70,000 to Mr. John M. Evans is hereby authorized and approved.



**OFFICE OF THE CITY CLERK  
COMMUNICATION FORM**

**IMMEDIATE CONSIDERATION**

*Below to be used for processing of Immediate Consideration items only*

Log ID/Item number:	106-19
Submitting Department / Contact Name	Office of Policy & Management (OPM) Nestor Nkwo, Director
Subject:	Establishing Mill Rates for FY 2020-2021. Mill Rates be and hereby are set at 53.99 Mills for Real Property and Personal Property and 45.00 Mills for Motor Vehicles.
Referred to Committee:	Immediate Consideration
City Council Date:	May 18, 2020 (Off The Floor)

**Attest:**

*Lydia N. Martinez*

**Lydia N. Martinez, City Clerk**

**May 18, 2020**

**Date**

**Approved by:**

**Joseph P. Ganim, Mayor**

**Date**

Please Note: Mayor didn't sign



COMM.#106-19 REFERRED FOR IMMEDIATE CONSIDERATION ON 05/18/2020.  
CITY OF BRIDGEPORT

## OFFICE OF POLICY & MANAGEMENT

999 Broad Street  
Bridgeport, Connecticut 06604  
Telephone 203-576-7963 Fax 203-332-5589

JOSEPH P. GANIM  
Mayor

NESTOR N. NKWO  
Budget Director

May 18, 2020

The Honorable Lydia Martinez  
City Clerk  
City of Bridgeport  
45 Lyon Terrace  
Bridgeport, CT 06604

Dear Ms. Martinez,

I hereby respectfully request the following be made part of the agenda for IMMEDIATE CONSIDERATION at the City Council meeting scheduled for Monday, May 18, 2020.

**Establishing Mill Rates for FY 2020-2021  
(as per the attached)**

Please don't hesitate to contact my office with any questions.

Respectfully,

Nestor Nkwo, Budget Director

Attachment

cc: Mayor Joseph P. Ganim  
Daniel Shamas  
Janene Hawkins  
Kenneth Flatto  
Thomas Gaudett  
Aidee Nieves  
Scott Burns / Michael DeFilippo



**THE CITY OF BRIDGEPORT FY 2020-2021 MILL RATES BE AND HEREBY ARE SET AT 53.99 MILLS FOR REAL PROPERTY AND PERSONAL PROPERTY AND 45.00 MILLS FOR MOTOR VEHICLES.**

**BE IT FURTHER RESOLVED THAT THE FY 2020-2021 TOTAL ADOPTED REVENUE AND TOTAL ADOPTED EXPENDITURES APPROPRIATIONS ARE \$571,936,510, RESPECTIVELY.**

**Ortiz, Frances**

---

**From:** Lage, Maria  
**Sent:** Monday, May 18, 2020 2:31 PM  
**To:** Martinez, Lydia; Nieves, Aidee; Burns, Scott; Defilippo, Michael; Ortiz, Frances  
**Cc:** Ganim, Joseph; Shamas, Daniel; Hawkins, Janene; Nkwo, Nestor; Flatto, Kenneth; Gaudett, Thomas  
**Subject:** Immediate Consideration -- FY 2020-2021 Mill Rate  
**Attachments:** DOC051820-05182020142022.pdf  
**Importance:** High

Good afternoon,

Please note attached correspondence from Budget Director Nestor Nkwo regarding Council agenda item.

Thank you,

**Maria da Luz Lage**  
**Office of Policy & Management**  
**999 Broad Street**  
**Bridgeport, CT 06604**  
**203-576-7963**  
**[Maria.lage@bridgeportct.gov](mailto:Maria.lage@bridgeportct.gov)**

## Ortiz, Frances

---

**From:** Nkwo, Nestor  
**Sent:** Monday, May 18, 2020 12:16 PM  
**To:** Gaudett, Thomas; Ortiz, Frances; Adams, Edward; Martinez, Lydia  
**Cc:** Burns, Scott; Defilippo, Michael; Nieves, Aidee; Anastasi, Mark T  
**Subject:** RE: FY21 Budget signed by Mayor  
**Attachments:** FY21 MILL RATE RESOLUTION WITH TOTAL REVENUES & EXPENDITURES.xlsx

Attached are the FY20-21 Mill Rates resolution and total budget resolution for tonight council meeting adoption. There needs to be two separate resolutions (1) Mill Rate (2) Total revenues/expenditures appropriations as indicated. They both have to be read into record, then adopted. Any question, let me know.

Nestor Nkwo  
Budget Director  
Office of Policy & Management  
City of Bridgeport  
999 Broad Street  
Bridgeport, CT 06604  
203-576-7967  
203-332-5589 - fax  
nestor.nkwo@bridgeportct.gov

-----Original Message-----

**From:** Gaudett, Thomas <Thomas.Gaudett@Bridgeportct.gov>  
**Sent:** Monday, May 18, 2020 12:00 PM  
**To:** Ortiz, Frances <Frances.Ortiz@Bridgeportct.gov>; Nkwo, Nestor <Nestor.Nkwo@Bridgeportct.gov>; Adams, Edward <Edward.Adams@Bridgeportct.gov>  
**Subject:** FY21 Budget signed by Mayor

See attached!

Nestor, I'm going to call Scott Burns. Let's prepare for him to put the mill rates on the agenda from the floor tonight.

-Tom

-----Original Message-----

**From:** toshiba@bridgeportct.gov <toshiba@bridgeportct.gov>  
**Sent:** Monday, May 18, 2020 2:56 PM  
**To:** Gaudett, Thomas <Thomas.Gaudett@Bridgeportct.gov>  
**Subject:** Send data from MFP12209223 05/18/2020 11:56

Scanned from MFP12209223

Date:05/18/2020 11:56

Pages:9

Resolution:200x200 DPI

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Item #87-19

Nomination of Lisa Morrissey for the Appointment to the position of Director of Health.



**Report**  
**of**  
**Committee**  
**on**  
**Contracts**

City Council Meeting Date: May 18, 2020

Attest:

*Lydia N. Martinez*

*Lydia N. Martinez, City Clerk*

Approved by:

*Joseph P. Ganim, Mayor*

Date Signed:



# City of Bridgeport, Connecticut

## Office of the City Clerk

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*To the City Council of the City of Bridgeport.*

The Committee on **Contracts** begs leave to report; and recommends for adoption the following resolution:

**Item No. 87-19**

**NOW THEREFORE BE IT RESOLVED** that the Mayor's nomination of Ms. Lisa Morrissey to a four (4) year statutory term commencing upon the administration of the Oath of Office (and until her successor is chosen and qualified) to the position of Director of Public Health for the City of Bridgeport, CT is hereby confirmed, and this appointment is so approved.

RESPECTFULLY SUBMITTED,  
THE COMMITTEE ON  
**CONTRACTS**

---

*Jeanette Herron, D-133rd, Co-Chair*

---

*Ernest E. Newton II, D-139th, Co-Chair*

---

*Jorge Cruz, Sr., D-131st*

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*Alfredo Castillo, D-136th*

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*Michael A. DeFilippo, D-133rd*

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*Maria H. Pereira, D-138th*

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*Avelino D. Silva, D-136th*

*City Council Date: May 18, 2020*

**PUBLIC HEALTH EXECUTIVE***Driving strategic planning to improve public health impacts.*

- **Comprehensive executive-level experience** in public health code principles and practices, and environmental, public and global health. Direct, supervise, review, and approve the development of new programs and national accreditation standards. Able to effectively communicate across multiple media channels to disseminate branded messaging as well as public service announcements. Maintain governmental and community relations with stakeholders. Skilled in educational dissemination, quantitative research, evaluation, and community organizing.
- **Expert** in local, state, and federal ordinances and regulations related to Public Health Codes; analyzing needs and priorities to promote public health and assessment projects to meet those needs. Skilled in planning, organizing, directing emergency response operations and ongoing response. Effective in cross-cultural communications and experienced with at-risk populations.
- **Program Assessment skills** in identifying issues, synthesize conclusions into recommendations, and implementing action plans. Advanced writing level with an exceptional capacity to execute administrative tasks and manage logistics. Coordination of public health operations alongside the development of standard operating procedures. Interpret and explain local, state and federal regulations.

**AREAS OF EXPERTISE**

Population Health ~ Community Health Assessment ~ Epidemiology ~ Cultural Competence ~ Strategic Planning ~ Public Health Accreditation ~ Statistical Analysis ~ Process Improvement ~ Program/Project Management ~ Data Collection ~ Data Management ~ Budget Planning ~ Reporting/Financial Statements ~ Proposal Development ~ Oral Presentations ~ Grant & Proposal Writing ~ Leadership ~ Team Facilitation/Motivation ~ Change Management ~ Effective Planning ~

**CERTIFICATIONS**

Connecticut Department of Emergency Management & Homeland Security, Region 5 Healthcare Coalition Chairman (ESF 8)  
 Connecticut Department of Public Health (DPH) Food Inspector | Connecticut DPH Phase I & II Subsurface Sewage Disposal  
 Connecticut DPH Maven: Local Health Management System | Connecticut DPH Lead Inspector

**EXPERIENCE**

City of Danbury, Danbury, CT (Feb 2017 – present)

*Community provider of model health programs, housing and social services advocacy and other services in a cost effective and comprehensive manner to promote a healthy environment for the residents.*

**Director of Health***Key Responsibilities*

- The Director of Health is the chief executive officer for the department and is responsible for the direct supervision of the Associate Directors and Division Managers.
- Prepares, develops and manages multiple budget as well as ensure that they align with the strategic plan. Authorizes and monitors expenditures to ensure they are within budget limits and guidelines
- Assumes full management responsibility for all department services and activities, including statistical services, food sanitation, communicable and chronic disease, environmental inspections, laboratory, medical services, vector control, and clinical services; and recommends and administers policies and procedures.
- Plans and assures the effective implementation of programs to promote and protect the health of the Danbury population through active participation with Community Health Assessment, Community Health Improvement Planning, Danbury Public Health Strategic Planning, Quality Improvement planning and implementation, Workforce Development planning and implementation, and Performance Management implementation.

*(Key Responsibilities continued)*

*Operation Leadership and Supervision*

*Key Responsibilities*

- Approves and implements all decisions regarding personnel that fall within the budget, support the strategic plan, and are compliant with local, state, and federal laws and regulations. Serves as the primary representative of the department in the community and is the point of contact for elected officials.
- Educates municipal, state and federal legislators and policymakers about funding and policy changes needed to address current and emerging public health problems.
- Participates in research activities with academic and clinical practice partners to increase the evidence-base for public health practice.
- Serves as primary media spokesperson for the organization on public health topics.
- Manages the development and implementation of department goals, objectives, policies, and priorities for each assigned service area; establishes, within City of Danbury policy, appropriate service and staffing levels; and allocates resources accordingly
- Drafts and reviews local public health regulations that address emerging public health problems for adoption by the City Council

Town of Sharon, Sharon, CT (Nov 2016 – Apr 2017) (Part-time)

*Community provider of model health programs, housing and social services advocacy and other services in a cost effective and comprehensive manner to promote a healthy environment for the residents.*

**Director of Health**

*Key Responsibilities*

- Plan, direct, administer, implement and enforce the Public Health Code; supervise, review, inspect and approve all applications relating to Public Health Code, federal, state and local laws and regulations for efficiency and compliance.
- Leverage knowledge on land use codes to exercise judgment to accomplish code enforcement.
- Work closely with the direction of the First Selectman and follows professional standards, procedures and policies.
- Review proposed development and construction plans; consult with departments on major building projects; perform plan reviews, inspections for compliance with Public Health Codes and standards; and prepare and administer department budget.
  - Coordinate efforts with Planning and Zoning official and the Building Official Fire Marshal's Office.
- Oversee maintenance of all records and statistics required by local, state and federal agencies and statutes.
  - Review, approve, and conduct inspections for subdivision plans and plot plans related to Public Health Code issues.
  - Submit oral and written reports to Town officials and state agencies.

*Operation Management and Supervision*

*Key Responsibilities*

- Plan, direct and supervise food service inspections as required by CT Public Health Code.
  - Supervise the environmental services staff, develop job direction, assign task, and monitor performance.
  - Determine and initiate regulatory or legal action in cases of violation of Public Health Code and ordinances.
- Plan, direct and perform inspections, investigative, enforcement and administrative duties to assure residential, commercial, and other properties comply with the Public Health Code, statutes and ordinances.
- Oversee and investigate other health issues when required or requested for safety of the public such as West Nile disease, exposures to hazardous materials, and communicable disease emergencies facing the public.
- Plan, supervise and implement school health program preparedness; liaise with local hospital and arrange wellness clinics

Western Connecticut State University, Danbury, CT (Aug 2015 – Present)

*Academic provider of undergraduate and graduate programs in liberal arts and for life-long professional learning education to foster growth as individuals, scholars, professionals, and leaders in a global society.*

**Public Health Adjunct Professor**

*Key Responsibilities*

- Teach epidemiology, program planning & evaluation, environmental health, and global health incorporating public health teaching methodologies within a classroom setting.
- Design, administer and grade examination papers, and assess student learning through various methods.

City of Danbury, Danbury, CT (Oct 2012 – Jan 2017)

*Community provider of model health programs, housing and social services advocacy and other services in a cost effective and comprehensive manner to promote a healthy environment for the residents.*

### **Epidemiologist**

#### *Key Responsibilities*

- Direct and performs inspections to comply with state public health code; develop and direct staff assignments for environmental inspection; direct and supervise contractors, part-time employees and interns for all projects.
- Facilitate backup coverage for Director of Health in the event of planned or unplanned absences; manage staff inspections.
- Prepare and manage the City of Danbury Public Health Preparedness budget and the CT Region 5 Healthcare Coalition budget.
- Advise the health director on procedures and practices to maximize resource and personnel utilization during emergencies.
- Participate on the community health steering committee (Community Health Needs Assessment) that seeks to improve outcomes and promote opportunities to view non-health systems, services, projects, programs, and health system integration.
- Conduct risk assessments for communicable disease and calculate chronic disease burden rates, including:
  - Lead environmental assessments in accordance to state and federal guidelines for childhood lead poisoning.
  - Communicable disease investigations and foodborne illness outbreak investigations.
  - Conduct epidemiological interviews in accordance with state and federal regulations.

#### *Operation Leadership and Supervision*

- Engage with external stakeholders from area hospitals and community-based organizations on healthy policy development for improved health outcomes for residents.
- Develop training exercises to strengthen municipal response for public health emergencies, including tests and evaluation of emergency management plans according to state and federal guidelines.
  - Leverage expertise in principles and techniques used in emergency preparedness planning to maintain staff training records to ensure staff training meets or exceeds state recommendations.
- Lead efforts to expand the Community Emergency Response Team program, teaching training modules, recruitment and volunteer program, public health volunteer program activities for community events, and organizational support.
  - Ensure departmental participation and compliance in CT DPH activities to improve overall process and outcome.

## **PRIOR EXPERIENCE**

**Sole Proprietor**, LKR Data Solutions, Danbury CT (May 2005 – Present)

**Executive Assistant IV to Managing Directors**, Eastdil Realty, LLC, Wells Fargo, NYC (Jun 2002 – Apr 2004)

**Marketing Assistant/Client Specialist**, Millennium Business Centers, White Plains, NY (Aug 2001 – May 2002)

**Executive Assistant to Editor in Chief, CEO**, LOTUS Magazine, NYC (Sep 1997 – Aug 2001)

**Administrative Assistant to Vice President**, Great Age Container, Bronx, NY (May 1996 – Jan 1998)

## **EDUCATION**

**Masters of Public Health in Epidemiology, Environmental Health Science**  
New York Medical College, Valhalla, NY

**Bachelor of Arts in Psychology**  
Albertus Magnus College, New Haven, CT

## **TECHNICAL TRAINING**

FileMakerPro | Oracle PeopleSoft  
New World ERP Financial and Administrative Management  
Statistical Analysis Software Package (SPSS)  
Statistical Analysis Software Package (STATA)  
Proficient in Windows, Apple OS, Mac, and Microsoft Office (Word, Excel, PowerPoint, Access)



**AFFILIATIONS**

*2012 to Present:*

National Environmental Health Association  
Western Connecticut Community Health Improvement Planning Team, Steering Committee Member

*2013 to Present:*

Connecticut Department of Emergency Management & Homeland Security, Region 5,  
Emergency Support Function #8, Public Health and Emergency Medical Services, Chairperson  
National Association of City & County Health Officials  
Council of State and Territorial Epidemiologists  
City of Danbury Community Emergency Response Team  
Town of Ridgefield Community Emergency Response Team  
Naugatuck Valley Medical Response Corps

**STEERING COMMITTEES**

*2012 to Present:*

Western Connecticut Community Health Assessment Founders Committee

*2018 to Present:*

Opening Doors of Fairfield County (NPO for Housing/Human Services to address Homelessness)

*2019 to Present:*

Governor Lamont's Fairfield County's Taskforce on Transit Oriented Development  
CT Department of Emergency Management & Homeland Security Advisory Council, Appointee  
Association of Religious Communities, Danbury CT (NPO for Housing/Human Services)  
Danbury Public Schools, School Climate Advisory Committee

*2020 to Present:*

CT Department of Energy & Environmental Protection – Statewide Emergency Response Commission, Appointee

**PUBLIC SPEAKING**

*2018*

Yankee Conference; Maine USA  
CT Environmental Health Association; Connecticut, USA  
CT DPH Commissioner's Semi-Annual Meeting; Connecticut, USA

*2019*

CCM Emergency Management Conference; Connecticut, USA

*2020*

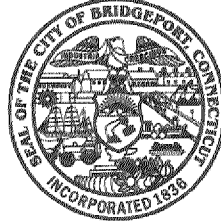
Danbury NAACP: 28<sup>th</sup> Annual Martin Luther King Jr. Day Memorial; Connecticut, USA  
National Association City & County Officials Annual Conference (pending approval); Colorado, USA

**CITY OF BRIDGEPORT  
OFFICE OF THE CITY ATTORNEY  
999 Broad Street  
Bridgeport, CT 06604-4328**

**CITY ATTORNEY  
R. Christopher Meyer**

**DEPUTY CITY ATTORNEY  
John P. Bohannon, Jr.**

**ASSOCIATE CITY ATTORNEYS  
Michael C. Jankovsky  
Richard G. Kascak, Jr.  
Bruce L. Levin  
John R. Mitola  
Lawrence A. Ouellette, Jr.  
Tyisha S. Toms  
Lisa R. Trachtenburg**



**ASSISTANT CITY ATTORNEYS  
Dina A. Scalo  
Eroll V. Skyers**

Telephone (203) 576-7647  
Facsimile (203)576-8252

May 18, 2020

Honorable City Council  
of the City of Bridgeport  
City Hall  
45 Lyon Terrace  
Bridgeport, CT 06604

**Re: Appointment of Ms. Lisa Morrissey as Dir. of Public Health for City of the Bridgeport**

Dear Honorable Council Members:

I have been advised that a legal question was raised by various Council Members at the May 12<sup>th</sup> Contacts Committee hearing concerning Resolution No. 87-19 *Nomination of Lisa Morrissey for Appointment to the City's Health Director Position*, regarding whether establishing residency in the City of Bridgeport ("City") is a legal requirement for the position of Director of Public Health for the City of Bridgeport.

In response to that inquiry I am issuing this City Attorney legal opinion.

**ISSUE**

**Is an appointee to the position of Bridgeport Director of Public Health legally required to reside within the boundaries of the City of Bridgeport?**

**RELEVANT LEGAL AUTHORITIES**

**Bridgeport City Charter**

**Chapter 2 - OFFICERS AND ELECTIONS, Section 2. - Officers to be residents and registered voters states:**

"All officers of the city, elected or appointed under the provisions of the charter, shall be residents and registered voters of the city of Bridgeport."

**Chapter 20 - DEPARTMENT OF HEALTH AND SOCIAL SERVICES, Section 6(a)**  
**states:**

“The director of public health shall be appointed in the manner provided by law and shall possess the qualifications established for directors of public health. The director shall also be, ex-officio, the registrar of vital statistics for the city.”

**Connecticut General Statutes**

**Sec. 19a-200. (Formerly Sec. 19-75). City, borough and town directors of health. Sanitarians. Authorized agents, subsection (a) states:**

“The mayor of each city, the chief executive officer of each town and the warden of each borough shall, **unless the charter of such city, town or borough otherwise provides**, nominate some person to be director of health for such city, town or borough, which nomination shall be confirmed or rejected by the board of selectmen, if there be such a board, otherwise by the legislative body of such city or town or by the burgesses of such borough within thirty days thereafter. **Notwithstanding the charter provisions of any city, town or borough with respect to the qualifications of the director of health, on and after October 1, 2010, any person nominated to be a director of health shall (1) be a licensed physician and hold a degree in public health from an accredited school, college, university or institution, or (2) hold a graduate degree in public health from an accredited institution of higher education.** The educational requirements of this section shall not apply to any director of health nominated or otherwise appointed as director of health prior to October 1, 2010. In cities, towns or boroughs with a population of forty thousand or more for five consecutive years, according to the estimated population figures authorized pursuant to subsection (b) of section 8-159a, such director of health shall serve in a full-time capacity, except where a town has designated such director as the chief medical advisor for its public schools under section 10-205, and shall not, during such director's term of office, have any financial interest in or engage in any employment, transaction or professional activity that is in substantial conflict with the proper discharge of the duties required of directors of health by the general statutes or the regulations of Connecticut state agencies or specified by the appointing authority of the city, town or borough in its written agreement with such director. **Such director of health shall have and exercise within the limits of the city, town or borough for which such director is appointed all powers necessary for enforcing the general statutes, provisions of the regulations of Connecticut state agencies relating to the preservation and improvement of the public health and preventing the spread of diseases therein.** In case of the absence or inability to act of a city, town or borough director of health or if a vacancy exists in the office of such director, the appointing authority of such city, town or borough may, with the approval of the Commissioner of Public Health, designate in writing a suitable person to serve as acting director of health during the period of such absence or inability or vacancy, provided the **commissioner may appoint such acting director if the city, town or borough fails to do so.** The person so designated, when sworn, shall have all the powers and be subject to all the duties of such director. **In case of vacancy in the office of such director, if such vacancy exists for thirty days, said commissioner may appoint a director of health for such city, town or borough.** Said commissioner, may, for cause, remove an officer the commissioner or any predecessor in said office has appointed, and the common council of such

city, town or the burgesses of such borough may, respectively, for cause, remove a director whose nomination has been confirmed by them, provided such removal shall be approved by said commissioner; and, within two days thereafter, notice in writing of such action shall be given by the clerk of such city, town or borough, as the case may be, to said commissioner, who shall, within ten days after receipt, file with the clerk from whom the notice was received, approval or disapproval. Each such director of health shall hold office for the term of four years from the date of appointment and until a successor is nominated and confirmed in accordance with this section. Each director of health shall, annually, at the end of the fiscal year of the city, town or borough, file with the Department of Public Health a report of the doings as such director for the year preceding.”

### **ANALYSIS & DISCUSSION**

Bridgeport City Charter, Chapter 2, Sec. 2 requires all officers of the city, elected or **appointed under the provisions of the charter** to be residents and registered voters of the City. By the plain language of this Charter provision, in order for an individual to be mandated to reside in Bridgeport, he/she must: (1) be an officer of the City, **and** (2) be elected or appointed under the provisions of the City Charter.

The situation involving the Director of Public Health position is rather unique; in that, it is unlike those positions that are clearly appointed under the provisions of the Bridgeport Charter. Rather for the Health Director position, Bridgeport Charter, Chapter 20, Sec. 6(a) states in pertinent part: “The director of public health **shall be appointed in the manner provided by law and shall possess the qualifications established for directors of public health**. As such, the Bridgeport Charter does not provide the manner for appointing the Bridgeport Director of Public Health, nor does it establish the qualifications for such position. Rather, the Bridgeport Charter defers to applicable (State) law for providing both the manner of the appointment and the qualifications for this position.

*[For purposes of this analysis, I assume arguendo that the occupant of the position of Bridgeport Director of Public Health is in fact an officer of the City.]*

A compelling argument can be made that an individual appointed as Bridgeport Director of Public Health is **not** “appointed under the provisions of the City Charter”; but rather, under the provisions of Sec. 19a-200(a) of the Connecticut State statutes. In accordance with such State law, the Bridgeport Mayor (the City’s chief executive officer) nominates a person to be the City’s Director of Health, which nomination shall be confirmed or rejected by the Bridgeport City Council (the City’s legislative body).

The State law that provides the manner for appointing directors of public health also establishes the qualifications for such positions. Specifically, Sec. 19a-200(a) provides that any Director of Health appointed after October 1, 2010 must either (1) be a licensed physician and hold a degree in public health from an accredited school, college, university or institution, or (2) hold a graduate degree in public health from an accredited institution of higher education. Further, Sec. 19a-200(a) requires that in cities with a minimum population of forty thousand for five

consecutive years (e.g. Bridgeport), the Director of Health shall serve in a full-time capacity. Moreover, pursuant to Sec. 19a-200(a) the Bridgeport Director of Public Health is a quasi-state officer in that he/she is empowered to, and charged with, enforcing the general statutes, provisions of the regulations of Connecticut state agencies relating to the preservation and improvement of the public health and preventing the spread of diseases therein.

Further evidence that the Director of Public Health is not “appointed under the provisions of the [Bridgeport] charter” is derived from the plain language of Sec. 19a-200(a) whereby the State Commissioner of Public Health is empowered (in the event the City fails to timely act) to appoint an acting Director of Health or a Director of Health. Presumably the State Commissioner would not be bound with regards to any appointment he was to make by residency requirements for officers established solely by the Bridgeport City Charter. Similarly, it would be irrational, inequitable (and likely improper based upon State law preemption) for the Mayor and City Council to be bound by a different standard in any appointment they make to fill this statutory position.

In sum, it is reasonably arguable that the Bridgeport Director of Public Health is **not** an officer appointed under the provisions of the Bridgeport Charter; and therefore he/she is **not** required to be a resident and registered voter of the City.

*[Although it is not an issue addressed herein, as an aside it should be noted that the Bridgeport Charter provision requirement that an officer of the City register to vote as a condition of employment is quite likely unconstitutional with respect to the position of Director of Public Health and all other appointed City officers.]*

## **CONCLUSION**

**It is the opinion of this office that it is not settled law that the Director of Public Health for the City of Bridgeport is subject to the residency requirement provision of Bridgeport Charter, Ch. 2, Sec. 2. Therefore, for the reasons stated herein, it is the legal recommendation of the Office of the City Attorney that appointees to this position not be required to be “residents and registered voters of the city of Bridgeport”.**

Very truly yours,

*R. Christopher Meyer /s/*

R. Christopher Meyer  
City Attorney

Cc: Mayor Joseph P. Ganim  
Frances Ortiz, Asst. City Clerk  
Janene Hawkins, CAO  
John P. Bohannon, Jr., Deputy City Atty.  
Bruce L. Levin, Assoc. City Attorney

Lydia Martinez, City Clerk  
Daniel Shams, Chief of Staff  
Eric Amado, Dir. of Labor Relations  
John R. Mitola, Assoc. City Attorney  
Mark T. Anastasi, Esq.

## Ortiz, Frances

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**From:** Anastasi, Mark T  
**Sent:** Monday, May 18, 2020 3:30 PM  
**To:** Ortiz, Frances; Martinez, Lydia  
**Cc:** Shamas, Daniel; Hawkins, Janene; Meyer, RChristopher; Bohannon, John; Mitola, John; Levin, Bruce; Nieves, Aidee  
**Subject:** Resolution No. 87-19 City Attorney Legal Opinion  
**Attachments:** Resolution No. 87-19 City Attorney Opinion regarding Residency .docx

Frances:

Kindly distribute the attached City Attorney Legal Opinion to the full City Council ASAP - so that they have it prior to this evening's City Council meeting.

Also, kindly post it for access during the Zoom meeting.

Thanks for your assistance.